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Journals of the Colonial Legislatures of Vancouver Island
and British Columbia, 1851-1871



Journals of the Colonial Legislatures of the
Colonies of Vancouver Island and
British Columbia
1851-1871

Edited by JAMES E. HENDRICKSON

VOLUME III
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VANCOUVER ISLAND, 1863-1866

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JOURNALS
OF THE
THIRD
HOUSE OF ASSEMBLY
OF THE COLONY OF
VANCOUVER ISLAND

2 SEPTEMBER 1863 to 31 AUGUST 1866

MEMBERS OF THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND

2 SEPTEMBER 1863 TO 31 AUGUST 1866

CONSTITUENCY	First Sitting	Last Sitting
Victoria City (No. 1)		
William Alexander George Young	3 Sept. 1863	13 May 1864
Charles Bedford Young*	25 Oct. 1864	30 Jan. 1865
Leonard McClure	14 Feb. 1865	31 Aug. 1866
Victoria City (No. 2)		
Amor De Cosmos	3 Sept. 1863	1 Feb. 1865
Amor De Cosmos (re-elected)	14 Feb. 1865	31 Aug. 1866
Victoria City (No. 3)		
Israel Wood Powell	3 Sept. 1863	30 Aug. 1866
Victoria City (No. 4)		
Joseph Charles Ridge	3 Sept. 1863	11 Jan. 1864
Selim Franklin	1 Feb. 1864	7 July 1865
Charles Bedford Young	2 May 1866	31 Aug. 1866
Victoria District (No. 1)		
Edward Henry Jackson	3 Sept. 1863	8 July 1864
James Dickson	22 Sept. 1864	30 Aug. 1866
Victoria District (No. 2)		
James Trimble	3 Sept. 1863	31 Aug. 1866
Victoria District (No. 3)		
William Fraser Tolmie	3 Sept. 1863	13 July 1866
Esquimalt Town		
George Foster Foster	3 Sept. 1863	8 July 1864
Joseph Johnson Southgate	22 Sept. 1864	2 May 1865
Edward Stamp	18 May 1866	29 Aug. 1866
Esquimalt and Metchosin (No. 1)		
John Sebastian Helmcken	3 Sept. 1863	31 Aug. 1866
Esquimalt and Metchosin (No. 2)		
Robert Burnaby	4 Sept. 1863	7 Jun. 1865
John Ash	28 Nov. 1865	31 Aug. 1866
Lake District		
James Duncan	3 Sept. 1863	17 Apr. 1866
Saanich District		
Charles Street	3 Sept. 1863	14 Oct. 1864
John James Cochrane	2 Nov. 1864	31 Aug. 1866
Saltspring Island and Chemainus		
John Trevasso Pidwell	3 Sept. 1863	9 Oct. 1863
George Edgar Dennes	13 Oct. 1863	20 Apr. 1866
John Trevasso Pidwell	30 May 1866	31 Aug. 1866
Nanaimo		
Charles Alfred Bayley	3 Sept. 1863	21 June 1865
Thomas Cunningham	5 Jan. 1866	25 July 1866
Sooke		
James Carswell	3 Sept. 1863	31 Aug. 1866

* W. A. G. Young resigned his seat on 24 May 1864, and in the by-election that followed C. B. Young and George Cruickshank received an equal number of votes. C. B. Young was eventually awarded the seat on 21 October 1864.

MINUTES OF THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND—FIRST SESSION

Wednesday, the 2nd day of September, 1863

The House met at 1. P. M. in accordance with the Proclamation of His Excellency the Governor.¹

The Clerk of the House having called over the names of the Members elected to serve in Parliament for the various Districts of the Colony, His Honour the Chief Justice said,

Gentlemen, I have the honor to inform you that, in virtue of my Office of Chief Justice, I have been authorised, and empowered by His Excellency The Governor, to acquaint both Houses that, as soon as the Members of both bodies shall be sworn, His Excellency will declare the cause of his calling this Parliament.

And it being necessary that a Speaker of The House of Assembly should be first chosen, You, Gentlemen, of the House of Assembly, will proceed to the appointment of a proper person to be your Speaker, and you will present such person whom you shall so choose, for His Excellency's approbation, on the day following his Election at 1. o'Clock.

The House then proceeded to elect a Speaker.

Colonel Foster, after alluding to his past services, and dwelling on his great Parliamentary experience, proposed Dr. Helmcken.

Mr. Young seconded—and, On the motion being put by the Clerk of the House, Dr. Helmcken was elected unanimously Speaker of the House; and having taken his seat, Addressed the House amidst great applause, thanking it for the honor it had conferred on him; and adjourned the House to One o'Clock P. M. tomorrow.

Thursday, the 3rd day of September, 1863

The House met this day, pursuant to adjournment at 1 oclock P.M.

Present:

Mr. Speaker

Messrs. Wm. A. G. Young

„ Amor De Cosmos

„ Israel Wood Powell

„ Jos. Chs. Ridge

Colonel George F. Foster

[Messr.] John S. Helmcken

} For Victoria City

Esquimalt Town

Esquimalt & Metchosin

¹ See *Victoria Daily Chronicle*, 20 August 1863 for James Douglas' proclamation dated 19 August 1863.

Messrs. James Duncan	Lake District
„ Edward Henry Jackson	} Victoria District
„ Wm. Fraser Tolmie	
„ James Trimble	
„ Charles Street	Saanich
„ James Carswell	Sooke
„ John T. Pidwell ²	Salt Spring Island & Chemanis
„ Alfred Bayley	Nanaimo

The Speaker elect, Dr. Helmcken, accompanied by a Deputation of Members proceeded to Government House, and was presented to His Excellency the Governor who was graciously pleased to express his entire approval of his election as Speaker of the House.

On returning to the House Mr. Speaker took the Oath, and subscribed the appointed declarations in which he was followed by all the Members present; and, at two O'clock, His Excellency, who was attended by his suite, entered the chamber, and in a clear voice spoke as follows:

Honorable Gentlemen of the Legislative Council, & Gentlemen of the Legislative Assembly:

In opening the Third General Assembly of Vancouver Island, I have great pleasure in observing that among the events of national importance which have marked the period since the last meeting of Parliament, none have excited a more general degree of public interest than the marriage of His Royal Highness the Prince of Wales; that event has called forth expressions of the warmest sympathy and attachment from every part of the Empire, and I regret that you have not had an opportunity since that auspicious occasion, so intimately connected with the happiness of our Sovereign, and her family, of manifesting in your public character, the loyalty and devotion of this Colony.

I shall soon lay before you a copy of a communication which I lately received from Her Majesty's principal Secretary of State for the Colonies, containing proposals on the part of the Atlantic, and Pacific Transit, and Telegraph Companies, for establishing Telegraphic, and Postal communication between British Columbia and the head of Lake Superior, and also of the answer returned by Her Majesty's Government to these proposals.

By this contemplated arrangement it is proposed that Canada, British Columbia, and Vancouver's Island, should guarantee to the Company a profit on capital expended at the rate of not less than four per cent, nor more than five per cent. per annum, it being, however provided, that the total annual payment to be made by Vancouver Island, and British Columbia, jointly, shall in no case exceed the sum of £12,500 to be borne, if necessary, by the respective colonies, as may be agreed upon.

I have to recommend this project to your favorable attention, as the conditions are not unreasonable considering the magnitude of the undertaking and the advantages which this Colony will reap from the faithful execution of the enterprise.

Before concluding any arrangement on the terms proposed it should, however, be stipulated as an express condition of the guarantee that the Telegraph and Postal communication shall be extended to Vancouver Island.

I will also cause to be laid before you a dispatch containing the decision of Her Majesty's Government with reference to the form of government to be adopted in the colonies of British Columbia and Vancouver Island—a measure which will be carried into effect, and the colonies be placed under different Governors so soon as the proper financial arrangements are made for the permanent support of the Government.

² The following note appears in the margin next to Pidwell's name: "Unseated on Petition, G. E. Dennes." See minutes for Monday, 12 October 1863.

Her Majesty's Government are of opinion that a permanent Act of the Legislature should be passed securing to the principal officers of the Colony salaries at the rates suggested in the aforesaid despatch; and, also that the initiation of all money votes should be secured to the Government.

When this is done Her Majesty's Government will be prepared to hold the Crown Revenue of Vancouver Island at the disposal of the Legislature of the Colony, retaining only such temporary power over the land as will enable Her Majesty's Government to close its transactions with Hudson Bay Company. When this is effected, Her Majesty's Government will be ready to transfer the management of the Revenue to the Colonial Legislature.

In concluding this subject I desire to call the attention of the Legislature to the opinion so impressively given in this despatch by the able statesman at the head of the Colonial Department in favor of a union of the Colonies under one Government, an opinion which comes with the weight of a wide experience in the workings of Colonial Institutions, and which will, I trust, exercise a due influence in your deliberations.

I have great satisfaction in stating that the native Indian tribes continue to evince a friendly disposition, and that nothing has occurred to disturb the peace of the outlying settlements, which will be protected by the occasional visits of Her Majesty's ships.

I have to congratulate you, Gentlemen, on the state of the public revenue for the half year ending the 30th June last. You will observe by the return which will be laid before you, a remarkable increase for that period, representing a sum more than equal to the whole amount of revenue collected for the corresponding six months of the year 1862.

The half yearly Reports from the Treasurer and Harbor Master, which I have had prepared for your information, will exhibit that and other facts connected with the trade and financial condition of the Colony.

Gentlemen of the Legislative Assembly:—

I will cause to be prepared, and in due time submitted to you the Estimates for the year 1864, and in the mean time I have to call your attention to the importance of continuing the improvement of the Public Roads as recommended by the road commissioners, and of providing for the exploration of certain Districts, where valuable minerals are believed to exist.

Assistance will be asked for carrying these objects into effect, and also for establishing elementary schools in the country districts where the settlers have at present no means of educating their children. This latter object will not involve a present outlay of more than a few hundred pounds, to aid in the erection of school houses and of suitable residences of their teachers. The salaries of the teachers may be provided for, as required, in the annual Estimates.

Honorable Gentlemen of the Legislative Council, & Gentlemen of the Legislative Assembly

A Bill for restraining the issue of Writs of Capias in the case of actions accruing in a Foreign Jurisdiction, unless the defendant has been resident in the Colony for a term of 30 days; and also a Bill to alter and amend the Act for Incorporating the Town of Victoria, and Bill to facilitate the collection of Small Debts, and to reduce the costs, and modify the present procedures will, with other matters, be introduced and submitted in the course of the session for your consideration.

It being desirable that the Fire Department of Victoria should be placed under the control of the Mayor and Corporation, and that members of this institution should, in consideration of their valuable and efficient services, be exempted from doing duty on juries, measures having these objects in view will be submitted to you.

In the settlement of all these matters for the prosperity and happiness of the Colony much must depend upon your wisdom and foresight, and, in conclusion, I can but express the fervent hope that the blessings of the Almighty may ever rest upon your labors.

His Excellency then took his leave, and His Honor David Cameron, Esquire, Chief Justice, declared the House duly opened.

The Governor's speech was listened to with profound attention.

The Speaker then took the Chair, Mr. De Cosmos read pro forma a Bill entitled an Act to promote the security of Vessels entering the Harbor of Victoria.

Mr. Ridge moved, and Mr. Duncan seconded, that the House adjourn to 3 o'clock tomorrow, to consider the reply to the Governor's Speech.

Motion carried, and House adjourned accordingly.

J. S. Helmcken
Speaker

Friday, the 4th day of September, 1863

The House met at 3 P. M. pursuant to adjournment.

Present: Mr. Speaker, Colonel Foster, Messrs. Burnaby, Ridge, Pidwell, Bayley, De Cosmos, and Drs. Trimble, Powell.

The former minutes having been read and confirmed.

Mr. Burnaby having taken the Oath, and his seat, rose to give notice of motion.

That at the next meeting of the House he would ask Honble. Member for Victoria Town (Mr. Young) whether he is sitting in this House as representing the views of Her Majesty's Government.

Mr. De Cosmos gave notice of motions (*see* Motion Book) for next meeting.³

Mr. Speaker informed the House that Mr. Tyrwhitt Drake has been appointed examiner of Recognisances to the House.

Mr. Ridge, by permission, presented a Petition from certain Auctioneers of Victoria Town, praying for a reduction of the amount of Tax levied on them by present Act.

Ordered to lie on Table of the House.

Mr. Speaker read the Governor's Address.

Mr. Ridge moved the following Reply thereto, which was seconded by Mr. Powell, and after discussion, carried unanimously.

May it please Your Excellency

The House of Assembly of Vancouver Island and its dependencies, has received with satisfaction Your Excellency's Address at the opening of this session, for which they have to tender their respectful thanks.

The House fully appreciates the great importance of the topics alluded to, and the measures suggested in the Speech of Your Excellency, and beg to say, that they will devote their earliest and best attention to their consideration—as soon as they are put in possession of the requisite data to enable them to do so.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker

³ Vancouver Island, House of Assembly, Motion Book, March 1860–June 1865, Provincial Archives of British Columbia, p. 29, hereafter cited as Motion Book:

"I will move at next Sitting of the House, That this House proceed to the Election of a Clerk.

"I will move at next Sitting for a Committee to draw up an Address to the Prince of Wales congratulating him on his marriage with the Princess Alexandra of Denmark.

"I will move at next meeting that the House go into a Committee of whole in order that a Committee be appointed with power to erect a Reporters Gallery or make such other provision as will ensure better accommodation to the reporters than exists at present."

Monday, the 7th day of September, 1863

The House met pursuant to adjournment at 3 o'clock P. M.

Present: Mr. Speaker, Messrs. De Cosmos, Jackson, Powell, Street, Young, Ridge, Pidwell, Duncan, Bayley, Carswell, Drs. Tolmie, Trimble.

The Minutes of last meeting having been read, and confirmed.

Mr. Speaker proceeded to appoint the following Committee on Private Bills: Colonel Foster, Dr. Trimble, Messrs. Street, Ridge, De Cosmos.

Second Reading of Reply to the Address of His Excellency The Governor.

Moved by Mr. De Cosmos seconded by Dr. Trimble "That the 2nd Reading of the Reply to His Excellency's Speech be postponed to Wednesday next."

Dr. Powell moved as an amendment, that it be postponed to Friday.

Amendment carried.

Mr. De Cosmos moved that a Committee be appointed to draw up an Address of congratulations to H. R. H. The Prince of Wales on His marriage with the Princess Alexandra.

Seconded by Mr. Jackson, and Carried unanimously.

The following Members were appointed to form the Committee: Messrs. De Cosmos, W. A. G. Young, Dr. Trimble.

Moved by Mr. De Cosmos, seconded by Mr. Street, "That a Committee be appointed to enquire what better accommodation can be afforded to the Press."

Motion carried and, the following Members appointed a Committee: Messrs. De Cosmos, Street, Carswell.

Mr. De Cosmos moved, & Mr. Pidwell seconded, "That the House do proceed to elect a Clerk."

Motion put.

Ayes: 4.

Messrs. De Cosmos
Pidwell
Duncan
Carswell

Noes: 6.

Messrs. Powell
Street
Young
Ridge
Jackson
Dr. Tolmie

Motion lost.

The House then adjourned to Friday next at 3 o'clock P. M.⁴

J. S. Helmcken
Speaker

⁴ The House also received this day, although omitted from the minutes, a message from Governor Douglas dated 7 September 1863 transmitting the following documents:

"1st. Papers connected with proposals for Establishment of Telegraph and Postal Communication between the Atlantic and the Pacific through British Territory.

"2nd. Extract from a Despatch from His Grace the Duke of Newcastle, dated the 15th June, 1863, respecting matters of Government in British Columbia and Vancouver Island.

"3rd. Comparative statement of the Revenue received during six months, ending 30th June, 1862, and six months, ending 30th June, 1863.

"4th. Report of Harbor Master with comparative statement of the Imports and Entrances and Clearances of Vessels into the Port of Victoria for the half year ending 31st December, 1862, and 30th June, 1863." *Victoria British Colonist*, 8 September 1863.

See also *Despatches and Correspondence transmitted to the House of Assembly in Governor Douglas' Message of 3rd September 1863* (Victoria: "Daily Chronicle" Office, 1863).

Friday, the 11th day of September, 1863

The House met this day pursuant to adjournment at 3 P. M.

Present: Mr. Speaker, Messrs. W. A. G. Young, A. De Cosmos, Street, Ridge, Bayley, Pidwell, Carswell, Jackson, Colonel F. Foster, and Drs. Trimble, Tolmie, Powell.

The minutes of last meeting having been read and confirmed.

Mr. Speaker read message from His Excellency the Governor transmitting Copies of three Orders in Council dated as per margin,⁵ and confirming certain Acts therein enumerated passed by the Legislature for Vancouver Island.

Mr. Ridge gave notice of motion for Thursday next.

Mr. W. A. G. Young—Notice for appointment of Committee at next meeting.

Mr. De Cosmos—Notice for Returns at next meeting.

Business of the day.

Second reading of Address in Reply to His Excellency's Speech.

Moved by Mr. Carswell Seconded by Mr. De Cosmos "That the House go into Committee of the whole to take into consideration His Excellency's Speech."

Motion put and lost.

Address agreed to.

Dr. Trimble gave notice of Motion for Friday next 18th Instant.⁶

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker

Tuesday, the 15th day of September, 1863

The House met pursuant to adjournment this day at 3 P. M.

Present: Mr. Speaker, Messrs. Young, De Cosmos, Jackson, Ridge, Street, Pidwell, Bayley, Carswell, Duncan, and Drs. Trimble, Powell.

The minutes of last Meeting having been read and confirmed.

Notices of Motion.

Mr. Ridge—Notice of Motion on Union of the Colonies—Monday 28th Instant.⁷

⁵ Marginal note: "Jany. 9th, April 28th, June 11th 1863. For Acts Vide Letter Book." See Vancouver Island, House of Assembly, Correspondence Inward, 27 July 1860 to 11 March 1864, PABC, pp. 101-02.

⁶ Motion Book, p. 31: "I beg to give Notice that I will, on Monday 28th Inst., bring in a Bill to amend the 'Alien Act'." See minutes for Tuesday, 22 September 1863.

⁷ Motion Book, p. 32: "I beg to give notice that on Monday 28th Inst. I shall move that a Committee of the whole House be appointed to discuss the important Question of the Union of the Two Colonies of Vancouver Island and British Columbia."

Mr. De Cosmos—Notice of Motion on Friday next—Harbor Improvements.

Mr. Street—Notice of Motion on Roads, on Friday next.

Mr. Duncan—On education—Friday [Monday] next.⁸

Mr. De Cosmos—Friday next—Notice for Returns on H.B. Co.'s affairs.⁹

Mr. Street—On Friday next—for Copies of Statutes of the Colony.

Mr. De Cosmos—Friday next—Mineral Resources.

Mr. De Cosmos—Friday next—Offers of Seats in the Legislative Council &c.

Mr. De Cosmos—Friday next—Cowichan & Comax to elect Representatives¹⁰—also, To alter and amend Fireman's Protection Act, 1860, also, To bring in an Act for establishment of Pilots for Port of Victoria—also, To repeal Vancouver Island "Stamp Act 1862," also, Respecting Barristers, and Attorneys at Law.

Mr. Pidwell—On Friday next—Despatches of H. G. Duke of Newcastle.

Mr. Young—Appointment of Committee on Public Accounts of the Colony.

That a Committee be appointed to enquire into the Accounts of the Colony as kept by the Treasurer and to report the result, and their opinion as to the sufficiency or otherwise, of the means of check adopted in the receipt and expenditure of the public Money.

Mr. De Cosmos Seconded.

Carried.

Committee appointed: Messrs W. A. G. Young, De Cosmos, Jackson, Street, Ridge.

Mr. De Cosmos Moved Resolution on Executive Council.

That His Excellency The Governor be respectfully requested to lay before this House for their information, Copies of any Despatches that may have passed between His Excellency and Her Majesty's Principal Secretary of State

⁸ Motion Book, p. 35: "On Monday Sept. 21 I will move for a Committee on Education to report on the adaptability of the System as now organized, to the present wants & views of the Colony—& also to report what Districts need the introduction of Public Schools." See minutes for Tuesday, 22 Sept. 1863.

⁹ Motion Book, pp. 32–33: "On Friday next I will move 'That His Excellency the Governor be respectfully requested to lay before this House Copies of all Despatches that may have passed since 1858—between His Excellency & Her Majesty's Principal Secretary of State for the Colonies respecting the Settlement of the Rights of the Hudson Bay Company claimed under the Crown License of Exclusive Trade with the Indians in Vancouver Island, and under the Crown Grant of Vancouver Island in 1849 and under the Treaty of 1846 between His Excellency, & the Officers of the Hudson Bay Co. respecting the Rights of the said Company in Vancouver Island; also a breviate of all legal Proceedings, taken by Her Majestys Govt. or by H. Ecy.'s Government, against, the Hudson Bay Co. since 1858 with the object of restraining the said Company from selling Land in Vancouver Island; or with object of concluding a final settlement between Her Majesty's Government and the Hudson Bay Company with respect to Vancouver Island'."

¹⁰ Motion Book, p. 35: "On Friday next Sep. 18—I will ask leave to bring in a Bill entitled an Act to enable the Districts of Cowichan & Comax to elect Representatives to the House of Assembly." See minutes for Tuesday, 22 Sept. 1863.

for the Colonies, respecting the formation of an Executive Council in this Colony, and also in respect to members of such Executive Council holding Seats in the Legislative Council, and House of Assembly.

Mr. Pidwell Seconded.

Carried.

House adjourned to Friday next at 3. P. M.

J. S. Helmcken
Speaker

Friday, the 18th day of September, 1863

The House met at 3. p. m. pursuant to adjournment.

Present: Mr. Speaker, Colonel Foster, and Messrs. Young, Trimble, Burnaby, Ridge, Duncan, Pidwell, Carswell, De Cosmos, Powell, Tolmie, Bayley.

The Minutes of the last Meeting having been read and confirmed.

The following members were appointed a Committee on Elections: Messrs. Powell, Tolmie, Burnaby, Duncan, Bayley.

Mr. Burnaby in accordance with notice previously given, asked the Honble. the Member for Victoria Town (Mr. Young) whether he sits in this House as representing the views of H. M.'s Government.

Mr. Speaker ruled the Question out of Order.

Mr. Young gave notice of a Bill on Writs of Capias for next meeting of the House.¹¹

Mr. Burnaby gave notice of Motion for an early day, on appointment of a Ministerial Council.¹²

Mr. Street in pursuance of Notice, moved "That each Member of the Legislative Assembly be supplied with the Statutes of the Colony."

Seconded by Mr. Pidwell and Agreed to.

Mr. De Cosmos—in pursuance of previous notice, moved, "That His Excellency The Governor be respectfully requested to lay before this House, any official correspondence containing offers of Seats in the Legislative Council, and the Replies thereto."

Seconded by Mr. Pidwell and carried unanimously.

Mr. De Cosmos—By consent, withdraws his Notice of Motion on The Hudson Bay Co.'s affairs.

¹¹ Motion Book, p. 37: "I give notice that at next meeting of this House I will ask leave of the House to bring in a Bill to restrain the issue of Writs of Capias within the jurisdiction of Vancouver Island and its Dependencies upon Debts or Causes of Action contracted or accruing out of the said jurisdiction."

¹² Motion Book, p. 37: "That at an early day I shall move That a Petition be presented to His Excellency the Governor by this House praying him to appoint a Ministerial Council for initiating and carrying on the Public business in the Legislature."

Dr. Trimble, pursuant to Notice, moved "That a Committee be appointed to investigate the present condition of the Crown Lands of this Colony, with reference to the proposition in the Despatch, recently laid before this House, of the Secretary for the Colonies, for handing over the Crown Lands to the Legislature."

Seconded by Mr. Ridge.

Mr. De Cosmos moved that after the word Committee the words "of seven" be inserted.

Seconded by Mr. Carswell.

Mr. Burnaby seconded by Dr. Tolmie, moved as an amendment to Mr. De Cosmos's amendment, "That the words 'of five' be inserted."

On being put, the last amendment was lost, and the words "of Seven" were ordered to be inserted.

Committee appointed: Messrs. De Cosmos, Burnaby, Ridge, Duncan, Drs. Trimble, Tolmie, and Colonel Foster.

Mr. De Cosmos—(pursuant to Notice)—Seconded by Mr. Street moved "That a Committee be appointed to report 1. On the mineral resources of the Colony—their character, extent, and location, so far as may be generally known. 2. What regulations may be deemed necessary to facilitate the development of the mineral wealth of the Colony."

Carried unanimously, and Committee appointed viz.: Messrs. Pidwell, Bayley, Powell.

Mr. Pidwell pursuant to notice brought forward his motion, "That The House go into Committee to consider the Despatch of His Grace the Duke of Newcastle dated June 15th 1863."

Motion not seconded.

Mr. Street brought forward the following resolution.

That a Committee be appointed to report on the extent, and condition of the Public Roads, throughout the Colony.

2. What improvements ought to be made in the Public Roads, specifying the particular Road.

3. What new Roads ought to be opened.

4. By whom Road appropriations may be best expended.

5. Whether it is not desirable to incorporate in the appropriations for Roads, the Amount to be expended in each District, and particularise what Roads are to be improved.

Seconded by Mr. Duncan.

The following Amendment was moved by Colonel Foster, and Seconded by Mr. Burnaby.

That a Committee be appointed to report on the State of Roads in this Colony, and to recommend such improvements and extensions to such Roads as may be thought advisable.

Mr. Street withdrew his motion, in favor of the amendment, which became the Resolution and was so carried, and

The following Members were appointed a Committee: Colonel Foster and Messrs. Street, Carswell, Burnaby, Jackson.

Mr. De Cosmos pursuant to notice, brought forward the following Resolution.

That a Committee be appointed to report

1. What improvements ought to be made in Victoria Harbor.
2. What improvements the Executive design making in Victoria Harbor.
3. At what time The Executive expect to commence the Improvement of Victoria Harbor, and why the improvements are delayed.
4. What funds are at hand at the disposal of the Executive to be expended in Harbor improvements.
5. From what source funds are raised, or purposed to be raised, for Harbor improvements.
6. Whether the funds in hand, or expected, be sufficient to make the necessary improvements, and if not, what is the deficiency?
7. Such Suggestions, or remarks as the Committee may think proper, in order to lay before this House the fullest information respecting the Improvement of Victoria Harbor.

Seconded by Mr. Duncan, and Agreed to.

The following Committee was then appointed viz.: Messrs. W. A. G. Young, A. De Cosmos, I. W. Powell, J. C. Ridge.

Mr. De Cosmos—from the Committee of the House appointed on the Address to H. R. H. the Prince of Wales, reported the same, which was read a first time.

The House then adjourned to Monday the 21st Instant at 3. p. m.

Speaker

Address.

To His Royal Highness The Prince of Wales
May it please Your Royal Highness.

We the Legislative Assembly of Vancouver Island in Parliament assembled, desire as the first Act of our Session, to approach Your Royal Highness, to present our sincere, and hearty congratulations, upon the marriage of Your Royal Highness with Princess Alexandra of Denmark; and earnestly pray that this Union, auspicious outwardly in its relations, ratified by the Nation, and consecrated inwardly by affection, may be blessed by the Almighty Disposer of all human events to the true and lasting happiness of Your Royal Highness, and the Princess, to the peace and prosperity of the Empire, and to the comfort of our Most Gracious, and beloved Queen.

Tuesday, the 22nd day of September, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker and Messrs. Young, De Cosmos, Trimble, Duncan, Street, Ridge, Pidwell, Bayley, Powell, Carswell.

The Minutes of last meeting having been read, and confirmed.

Mr. Speaker read a communication from His Excellency The Governor, touching certain correspondence between His Excellency, and His Grace the Duke of

Newcastle, in regard to the formation of an Executive, and Legislative Council for this Colony.

Notices of Motion (next meeting).

Mr. Pidwell—Committee on Public Accounts.

Mr. Duncan—Present state of Probate Court.

Mr. Pidwell—Conveyance of Mails &c.¹³

Business of the day.

Address to His R. H. the Prince of Wales read a 2nd time and agreed to.

Mr. Duncan moved for a Committee on Education.

Mr. Street seconded.

Agreed to.

Committee appointed: Messrs. Duncan, Street, Tolmie, Carswell, Powell.

Mr. Ridge withdrew his motion to repeal the Alien Act 1862 by permission of the House.

Mr. De Cosmos Asked leave to bring in a Pilot Bill.

Seconded by Mr. Young and agreed to.

Mr. Young asked leave to bring in a Bill on "Writs of Capias."

Mr. Duncan seconded.

Leave granted.

Mr. De Cosmos—A Bill to alter and amend the Fireman's protection Act 1861.

Mr. Pidwell seconded.

Agreed to.

Mr. De Cosmos—A Bill to enfranchise the Districts of Cowichan and Comax.

Mr. Duncan 2nded.

Agreed to.

Mr. De Cosmos—A Bill respecting Barristers, and Attorneys at Law.

Mr. Young 2nded.

Agreed to.

Mr. De Cosmos—A Bill to repeal the "Vancouver Island Stamp Act 1862."

Mr. Young 2nded.

Agreed to.

Mr. De Cosmos brought up Report of the Committee on accommodation to the Press.

The House then adjourned to tomorrow at 3. P. M.

Speaker

¹³ Motion Book, pp. 37-38: "At next meeting of the House to ask that An Address be presented to His Excy. the Govr. respectfully asking His Excy. to authorize that Tenders be called for, for the conveyance of the Mails semimonthly to Chemainus, and Salt Spring, Nanaimo, & the Comax Districts."

Wednesday, the 23rd day of September, 1863

The House met this day pursuant to adjournment at 3. oclock P. M.

Present: Mr. Speaker and Messrs. De Cosmos, Street, Pidwell, Duncan.

The Minutes of last meeting having been read and confirmed.

The Report of the Election Committee on the Salt Spring Island Election Petition was confirmed.

Mr. Speaker read the following communication from His Excellency the Governor.

To The Speaker, and Gentlemen of The House of Assembly;
Gentlemen,

In reply to the request of the House contained in Mr. Speaker's Letter of the 18th instant asking for copies of any official correspondence containing offers of Seats in the Legislative Council, and the replies thereto, I have the honor to inform you that no such correspondence exists.

I have the honor to be
Sir &c. &c.

(Signed) James Douglas

In the absence of Mr. Young, Mr. Pidwell moved 1st reading of the "Writs of Capias, and ne exeat regno, Bill."

Bill read a first time, and ordered to be read a second time on Monday next.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker

Monday, the 28th day of September, 1863

The House met this day pursuant to adjournment at 3. P. M.

Present: Mr. Speaker, Messrs. W. A. G. Young, Duncan, Street, Ridge, De Cosmos, Pidwell, Carswell, Jackson, Bayley, and Drs. Trimble, Powell.

The minutes of last meeting having been read and confirmed.

Mr. Speaker read a communication from His Honor Chief Justice Cameron giving cover to a Copy of General Rules, and Orders for, and concerning the Practice, and Procedure of the Court of Bankruptcy.

Mr. Duncan gave Notice of Motion for next meeting.¹⁴

Mr. Pidwell—notice of motion at next meeting.¹⁵

¹⁴ Motion Book, p. 39: "Mr. Duncan to move That His Excellency the Governor be respectfully requested to inform this House who are the sureties for the Heads of Departments of this Colony, and to what amount Bonds have been taken."

¹⁵ Motion Book, p. 39: "At the next meeting of this House I intend to move that His Excellency the Governor be respectfully requested to inform this House what steps if any, have been taken towards the settlement of the Indian Claims in those Settlements where many of Her Majesty's loyal Subjects have taken up Land."

Mr. Ridge—That the House go into a committee of the whole on Wednesday next on the Union of the Colonies.

So ordered.

Mr. Pidwell moved for a Committee on Public Expenditure—(in pursuance of Notice).

Mr. Duncan seconded.

Agreed to.

Order to be referred to Committee on Public Accounts.

Mr. Duncan moved for a Committee to enquire into present state of the Probate Court and to report thereon.

Dr. Trimble seconded.

Agreed to.

Ordered to be referred to Committee on Public Accounts.

Dr. Trimble on behalf of the Committee on Crown Lands, requested that said Committee be empowered to send for persons, papers, and records.

On the suggestion of the Honble. The Speaker Dr. Trimble moved "That the Committee on Crown Lands be empowered to send for Papers, persons, and Records."

Mr. Ridge seconded.

Motion carried.

Bills Read a second time.

Writs of Capias restriction Act 1863.

The House then went into Committee of the Whole on this Bill.

Mr. Street in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Report received and Leave granted.

[Bills] Read a first time.

Mr. De Cosmos—2nded by Mr. Ridge—Bill entitled an "Act respecting Barristers, and Attorneys at Law."

Mr. De Cosmos—2nded by Mr. Duncan—A Bill entitled "an Act to repeal the Vancouver Island Stamp Act 1862."

Mr. De Cosmos—seconded by Dr. Powell—"To alter, and amend The Fireman's Protection Act 1861."

Mr. De Cosmos—2nded by Dr. Powell—To enable the Districts of Cowichan, and Comax, to send one Representative each to the House of Assembly."

Mr. De Cosmos—seconded by Mr. Duncan—"For the establishment of Pilots for the Port of Victoria."

On the motion of Mr. W. A. G. Young "It was ordered that these Bills be printed."

The House then adjourned to Wednesday next at 3. P. M.

J. S. Helmcken
Speaker

Thursday, the 1st day of October, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker, Colonel Foster, Drs. Trimble, Tolmie, Powell, and Messrs. De Cosmos, Burnaby, Ridge, Street, Duncan, Pidwell, Bayley.

The Minutes of last Meeting having been read, and confirmed.

It was moved and seconded, that The House go into Committee of the Whole, on the extremely important subject of the Union of the Colonies of British Columbia, and Vancouver Island, with a view to an early settlement of the same; and that Mr. Speaker do now leave the Chair.

Carried.

Mr. Burnaby in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered That the Report be accepted, and leave granted.

The House then adjourned to Monday next at 3. P. M.

Speaker

Monday, the 5th day of October, 1863

The House met this day at 3. p. m. pursuant to adjournment.

Present: Mr. Speaker, Messrs. W. A. G. Young, Burnaby, Street, Duncan, Bayley, Jackson, Pidwell, De Cosmos, Carswell, and Drs. Tolmie, Trimble, Powell.

The Minutes of last meeting having been read, and confirmed.

The House went into Committee of the whole on the Question of the Union of the Colonies of Vancouver Island, and British Columbia.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered That the Report be received, and leave granted.

The House then adjourned to 3. P. M. tomorrow.

Speaker

Tuesday, the 6th day of October, 1863

The House met this day at 3. o'Clock. P. M. pursuant to adjournment.

Present: Mr. Speaker, Messrs. W. A. G. Young, Burnaby, Duncan, De Cosmos, Jackson, Street, Pidwell, Carswell, Bayley, Ridge, Col. Foster, and Drs. Tolmie, Trimble, Powell.

The Minutes of last meeting having been read and confirmed.

The House went into Committee of the Whole on the Question of the Union of the Colonies of Vancouver Island, and British Columbia.

Mr. Speaker left the Chair.

Mr. Burnaby in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered That the Report be received, and leave granted.

The following members were then ballotted to compose the Committee on the Salt Spring Island Election Petition—viz.: Dr. Tolmie, Chairman, Dr. Trimble, Col. Foster, and Messrs. Duncan, Jackson, members.

And, Thursday next, at 11. o'clock A. M. was appointed as the time for the meeting of the Committee.

The House then adjourned to Wednesday the 7th Instant at 3. p. m.

J. S. Helmcken
Speaker

Thursday, the 8th day of October, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker, Drs. Tolmie, Powell, and Messrs. Ridge, W. A. G. Young, Street, De Cosmos, Bayley, Pidwell, Carswell.

The minutes of last meeting having been read and confirmed.

The House went into Committee of the Whole, on the Question of the Union of the Colonies of Vancouver Island, and British Columbia.

Mr. Speaker left the Chair.

Dr. Tolmie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The chairman reported progress and asked leave to sit again.

Ordered That the Report be received, and leave granted.

House adjourned to tomorrow.

Speaker

Friday, the 9th day of October, 1863

The House met this day pursuant to adjournment, at 3 p. m.

Present: Dr. Helmcken, Speaker, Messrs. W. A. G. Young, Street, Pidwell, Bayley, Jackson, Carswell, Burnaby, De Cosmos, Duncan, Drs. Tolmie, Powell, and Colonel Foster.

The minutes of last meeting having been read and confirmed.

Mr. De Cosmos gave Notice of Motion for next meeting (Notice Book Page 40.) relative to providing for a Mayor and Councillors for the City of Victoria &c. &c.¹⁶

The House then went into Committee of the Whole on the Question of the Union of the Colonies of Vancouver Island and British Columbia.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

The Speaker resumed the Chair.

The Chairman reported Progress, and asked leave to sit again.

Ordered That the Report be received, and leave granted.

The House then adjourned to Monday next at 3. P. M.

Speaker

Monday, the 12th day of October, 1863

The House met this day at 3. p. m. pursuant to adjournment.

Present: Mr. Speaker, Drs. Trimble, Tolmie, Powell, Col. Foster, and Messrs. W. A. G. Young, C. Ridge, Street, Bayley, Carswell, De Cosmos, Jackson, Duncan.

The minutes of last meeting having been read and confirmed.

Dr. Tolmie from the Select Committee on the late Salt Spring Island and Chemainos Election, reported as follows.

1. It is the Decision of this Committee That John Trevasso Pidwell, the sitting member is not duly elected to serve in this present House of Assembly, for the District of Salt Spring Island, and Chemainos.

2. That George Edgar Dennes the Petitioner, is duly elected a member of this present House of Assembly for the District of Salt Spring Island, and Chemainos.

3. That the opposition of the said John Trevasso Pidwell to the Petition of the said George Edgar Dennes is frivolous, and vexatious, and that the said John Trevasso Pidwell pay the costs.

(signed) W. F. Tolmie
Chairman

Also That it is the unanimous Resolution of the Special Committee on the Election Petition of George Edgar Dennes against John Trevasso Pidwell—

¹⁶ Motion Book, p. 40: "On Monday next October 12th I will ask leave to bring in a Bill entitled an Act to provide for the Election of a Mayor & Councillors for the City of Victoria at the expiration of the period for which the present Mayor & Councillors are elected and That I will move that the Standing Orders of the House shall be suspended so far as the carriage of the said Bill is concerned."

That J. P. M. Biggs Esquire, Returning Officer at the last Election held at Salt Spring Island, has been guilty of gross neglect in the performance of his duty at said Election.

(signed) W. F. Tolmie
Chairman

Ordered That the Report be received.

Mr. De Cosmos, pursuant to notice, having obtained leave, introduced a Bill providing for the Election of a Mayor and Town Councillors for Victoria for the year 1863 and The Standing Orders being suspended the Bill was read a first time, and Ordered to go to a Second Reading tomorrow.

The House then went into Committee of the Whole on the Union of the Colonies of Vancouver Island and British Columbia.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Ridge with leave, withdrew his Resolution¹⁷ in favor of Dr. Powell's amendment "That the Honble. The Legislative Council be asked to meet this House in joint Session to consider an Address to Her Majesty with respect to a Union of Vancouver Island with British Columbia."

Mr. Burnaby presented a Petition from the Chamber of Commerce against the Union of the Colonies of Vancouver Island and British Columbia which was read, and ordered to lie on the Table.

Mr. De Cosmos gave Notice of Motion for next meeting.¹⁸

The House then adjourned to tomorrow at 3. p. m.

Speaker

Tuesday, the 13th day of October, 1863

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker, Drs. Trimble, Tolmie, Powell, and Messrs. Burnaby, Dennes, Young, Ridge, De Cosmos, Jackson, Street, Bayley.

The minutes of last meeting having been read and confirmed.

Mr. Dennes presented himself to the Speaker, who administered the usual Oaths to Mr. Dennes as the Member duly elected to sit in the House of Assembly as Representative for Salt Spring Island and Chemainos.

Mr. Dennes then took his Seat within the Bar of the House.

¹⁷ Motion Book, p. 39: Mr. Ridge proposed in Committee on 1 October 1863 "That a Memorial from this House be sent to His Grace the Duke of Newcastle requesting that The Colonies of British Columbia & Vancouver Island be United & placed under one Government."

¹⁸ "Mr. De Cosmos said that on Monday next, Oct. 19, he would move that the House go into Committee of the Whole on a request to His Excellency to offer a bounty of £1000 to every one who would erect a flouring mill or carding mill of certain capacities, in any of the agricultural districts of the colony." *Colonist*, 13 October 1863.

Mr. De Cosmos Presented a Petition from certain Settlers of Somenos and Cowichan Districts.

Ordered to be referred to the Committee on Roads.

"Bill to provide for the Election of a Mayor and Councillors for the City of Victoria at the expiration of the period for which the present Mayor and Councillors are elected" was read 2nd time, and Committed.

House in Committee of the Whole.

Mr. Speaker left the Chair.

Mr. Burnaby in the Chair of the Committee.

Dr. Helmcken gave notice that he would move certain Resolutions at next meeting of the Committee on the Union of the Colonies of Vancouver Island and British Columbia.

The Committee then took up the "Provisional Act for the Election of a Mayor and Councillors 1863."

Mr. Speaker resumed the Chair.

Mr. Chairman reported "That the Committee having the Bill referred to them under their consideration had amended, and agreed to the same."

Ordered to go to a 3rd Reading.

The House then adjourned to tomorrow at 3. p. m.

Speaker

Wednesday, the 14th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Jackson, De Cosmos, Ridge, Young, Street, Carswell, Dennes, Bayley, Burnaby, Drs. Tolmie, Trimble, Powell, and Col. Foster.

The minutes of last meeting having been read and confirmed.

Dr. Trimble, from the Committee on the Public Lands of the Colony, reported that said Committee were unable to proceed with the business before them without the services of a Messenger.

After some remarks by Mr. Speaker Mr. Burnaby gave Notice of Motion on the appointment of a messenger of this House for service on Committee &c.

"The Provisional Act for the Election of Mayor and Councillors 1863" was read a 3rd time.

The House then went into Committee of the Whole on "Capias restriction Act 1863."

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having the Bill referred to them under their consideration had agreed to the same with alterations and additions.

The House then went into Committee of the Whole on the Question of the Union of the Colonies of Vancouver Island and British Columbia.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered That the Report be received, and Leave granted.

The House then adjourned to tomorrow at 3. p. m.

Speaker

Thursday, the 15th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Drs. Trimble, Tolmie, Powell, Messrs. Young, De Cosmos, Street, Ridge, Burnaby, Duncan, Jackson, Dennes, Carswell, and Col. Foster.

The minutes of last meeting having been read and confirmed.

Mr. Burnaby moved that the Speaker be requested to appoint a messenger of this House for service on Committees or other purposes in connection with the duties of this House.

Motion put and carried.

The following Bills were read a second time and Committed.

Fireman's Protection Act 1863.

Legal Profession Act 1863.

Cowichan, and Comax Registration Act 1863.

An Act to Repeal the Vancouver Island Stamp Act 1863.

Mr. Bayley gave notices of motion for next meeting—(vide motion book).¹⁹

Speaker

Monday, the 19th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Drs. Tolmie, Trimble, Powell, and Messrs. W. A. G. Young, Burnaby, Dennes, De Cosmos, Jackson, Bayley, Carswell.

The last minutes having been read and confirmed.

Mr. Speaker appointed Thursday next for the 3rd Reading of the "Capias restriction Bill 1863."

Mr. Burnaby obtained leave to bring in a Petition for an Act to Incorporate the Chamber of Commerce of Victoria, Vancouver Island.

Petition read, and referred to Private Bills Committee.

¹⁹ Motion Book, p. 41: "That at next meeting of this House I shall ask that the Receipt & Expenditure for the Judicial Department of the District of Nanaimo be laid before this House.

"I give notice that at next meeting of this House I shall ask for information in regard to any scheme for the carrying of the Mails between Victoria & intermediate Ports—and Nanaimo, & Comax."

Mr. De Cosmos—Pursuant to notice, moved “That the House fix this day week to go into Committee on his Resolution regarding the offering of bounties for the Erection of Grist Mills &c., in various Districts.”

Mr. Burnaby moved an Amendment to the effect that in lieu of the words “this day week” “this day six months” be substituted.

For the original motion 2. For the Amendment 7.

Amendment carried.

The House then went into Committee of the Whole, on the Question of the Union of the Colonies of Vancouver Island, and British Columbia.

Mr. Speaker left the Chair.

Dr. Tolmie in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Ordered That the Report be received, and Leave granted.

Mr. Bayley moved his resolutions, of which he had given notice at last meeting viz.:

1. At next meeting of this House I shall ask for information to be laid before this House, regarding the Receipts, and expenditure for the Magisterial Department of the District of Nanaimo.

2. At next meeting of this House I shall ask for information in regard to any Scheme for the carrying of the Mails between Victoria and intermediate Ports, and Nanaimo and Comax.

Which were seconded, and carried.

[Mr. Bayley gave notice of motion for next meeting.]²⁰

The House then adjourned to tomorrow at 3. oClock P. M.

Speaker

Tuesday, the 20th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Dr. Trimble, and Messrs. Dennes, De Cosmos, W. A. G. Young, Carswell, Burnaby, Duncan, Bayley, Ridge.

The minutes of last meeting having been read and confirmed.

Mr. De Cosmos presented a Petition from the “Albert Lodge of good Templars of Victoria,” which having been read, was referred to the Committee on Private Bills.

Mr. Bayley Brought forward his Resolution on the Vancouver Island Coal Company’s Property at Nanaimo which was carried.

²⁰ *Colonist*, 20 October 1863: “Mr. Bayley gave notice that he would move for returns in regard to the extent of the lands of the [Vancouver Island Coal] company in payable acres, the extent, if any, of the government school and Indian reserves, and as to whom the magistrate’s residence at Nanaimo belongs.”

The House then went into Committee of the Whole on the Question of the Union of the Colonies of Vancouver Island and British Columbia.

Mr. Speaker left the Chair.

Mr. Burnaby in the Chair of the Committee.

Mr. De Cosmos brought forward his Resolutions as follow.

That this House is favorable to the Union of Vancouver Island with British Columbia, provided an Act of Union can be framed that will not endanger the existence of our Free Port.

That in order to frame such an Act of Union we deem it to be necessary that a Delegation be appointed from each Colony, to confer on the Subject of the Union and report the Result of their deliberations to their respective Governments.

Resolutions put seriatim, and agreed to.

Dr. Helmcken then moved the following amendment—To add to the 1st resolution “and free trade; and that the mode of Taxation in Vancouver Island shall be left in the hands of its own Representatives.”

Amendment agreed to.

The question was then put on the Resolutions as a whole.

Ayes:

Messrs. De Cosmos
Dennes
Duncan
Ridge

Noes:

Drs. Helmcken
Trimble
Messrs. Bayley
Young

The votes being equal the Chairman gave his vote against the Resolutions which were accordingly lost.

The Committee then rose.

Mr. Speaker resumed the Chair.

Mr. Bayley gave a notice of motion for next meeting touching the erection of a Light House at Nanaimo.²¹

The House then adjourned to Thursday next at 3. P. M.

Speaker

Thursday, the 22nd day of October, 1863

The House met this day pursuant to adjournment, at 3 P. M.

Present: Mr. Speaker, Dr. Tolmie, and Messrs. Street, Burnaby, Duncan, Bayley, De Cosmos, W. A. G. Young, Dennes, Carswell.

The minutes of last meeting having been read, and confirmed.

Dr. Tolmie gave notice of motion at next meeting of the House.²²

²¹ Motion Book, p. 41: “At next meeting of this House I shall ask for information and any correspondence relative to the erection of a Light House for the Port of Nanaimo.”

²² Motion Book, p. 42: “I will ask at next meeting That an Address be presented to His Excellency the Govr. praying for a Return shewing the Amount of Installments yet due on Land sold, and the periods when such instalments are payable.”

Mr. De Cosmos moved the Second Reading of the "Pilot Bill for the Port of Victoria."

Bill read a 2nd time, and committed.

The "ne exeat Regno" Bill was brought up for a 3rd Reading—but on the motion of Mr. Burnaby, seconded by Mr. Dennes—this Bill was recommitted.

Mr. Bayley brought up his resolution touching the Erection of a Light House at Nanaimo—which was seconded by Mr. De Cosmos, and carried.

Mr. Burnaby gave notice of Motion for next meeting touching the Appointment of a separate Governor for Vancouver Island &c.²³

The House then adjourned to tomorrow at 3. P. M.

Speaker.

Friday, the 23rd day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Messrs. W. A. G. Young, Burnaby, Dennes, Ridge, Carswell, Bayley, Duncan, De Cosmos, C. Street, Col. Foster, and Drs. Tolmie, Powell.

The minutes of last meeting having been read and confirmed.

Mr. De Cosmos from the Committee on the Public Lands of the Colony, called attention to the repeated absence of members of this Committee.

Ordered That the Committee on the Public Lands of the Colony do meet on Monday next at 2. o'Clock P. M.

Mr. De Cosmos gave Notice of Motion for Monday next (Light House Dept.).²⁴

Mr. Ridge gave notice of motion to amend the Naturalization Act.

Dr. Tolmie Brought up his Resolution for Returns of Amounts due on Lands purchased &c., which was seconded by Mr. De Cosmos, and carried.

Mr. Burnaby brought up his Resolution touching the Appointment of a Separate Governor for Vancouver Island which was seconded by Mr. Ridge and carried.

²³ Motion Book, p. 42: "At next meeting of the House That an Address be presented to His Excy. the Govr. praying that he will inform this House whether he has received any Official intimation from H.M.'s Govt. of the Actual appointment of a separate Governor for the Colony of Vancouver Island or whether he has received any further communication expressing the intention of H. M. Government in that respect more definitely than in the Despatch of His Grace the Duke of Newcastle already laid before this House—such information being necessary to enable this House practically to deal with the question of the Civil List."

²⁴ Motion Book, p. 43: "On Monday Oct. 26th I will move That Returns from LightHouse Department be laid before the House Showing.

"1. Who constitute LightHouse Commissioners?

"2. Who is the Clerk of LightHouse Board?

"3. Who are the Keepers?

"4. What Salaries are paid & to whom?

"5. What is the expenditure of the Department for the Current fiscal year?"

Mr. Speaker then left the Chair and The House went into Committee of the Whole on "A Bill respecting Barristers and Attorneys at Law."

Mr. Street in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported the Bill agreed to with certain amendments and additions.

The House then adjourned to Monday next at 3. P. M.

Speaker

Monday, the 26th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Col. Foster, Drs. Tolmie, Powell, Trimble, and Messrs. Young, Street, Duncan, Ridge, De Cosmos, Dennes, Carswell.

The minutes of last Meeting having been read and confirmed.

Dr. Tolmie gave Notice of Motion—(vide Motion Book Page 43).²⁵

The House then went into Committee on the following Bills.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

The Cowichan and Comax Representation Act 1863.

It was moved by Mr. De Cosmos, seconded by Mr. Dennes, and carried that the word Comax be altered to Comox.

Moved by Dr. Helmcken Seconded by Mr. Duncan "That a Clause be added to the Bill enabling 'Alberni' to send a member to the House of Assembly."

[Mr. Speaker resumed the chair.]

The Chairman then reported progress and asked leave to sit again.

Ordered that the Report be received, and Leave granted.

The House then went into Committee of the Whole on A Bill entitled "An Act to repeal the Vancouver Island Stamp Act, 1863."

Mr. Speaker then left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported the Bill complete.

Mr. Burnaby from the Committee on Private Bills reported favorably of the Petition of the Chamber of Commerce.

Ordered That said Petition be received.

Mr. De Cosmos presented a Petition from Mr. John Copland.

Ordered to be referred to Committee on Private Bills.

²⁵ Motion Book, p. 43: "I will at our next meeting move That an Address be presented to H. E. The Governor praying that this House may be prorogued for 24 hours in Order that the question of Union with British Columbia may be again taken up."

Mr. Ridge brought in a Bill to amend "An Act to provide for the naturalization of Aliens, 1862."

Mr. De Cosmos moved his Resolution praying for Returns from the Light house Department which was carried.

The House then adjourned to Wednesday next at 3. P. M.

Speaker.

Wednesday, the 28th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Col. Foster, Drs. Trimble, Powell, Tolmie, and Messrs. Ridge, Street, Duncan, Dennes, Burnaby, De Cosmos, Bayley, Carswell, W. A. G. Young.

The minutes of last meeting having been read and confirmed.

Mr. Speaker read the following communications from His Excellency the Governor.

Vancouver Island—Victoria 27th Oct. 1863.

To, The Speaker and Gentlemen of The House of Assembly
Gentlemen,

I have the honor to inform The House with reference to its Resolution of the 23rd Instant That I have not received any Official information of the Appointment of another Governor for Vancouver Island; but I feel assured from private communication from Official Sources, that the Appointment has been made.

I have the honor to be &c. &c.

(Signed) James Douglas.

Vancouver Island

Victoria, Octr. 28th 1863

To The Speaker and Gentlemen of The House of Assembly
Gentlemen,

I have the honor to transmit herewith a Return of the Receipts, and Expenditure for the Magisterial Department of the District of Nanaimo for the period from 1st Jany. 1861 to 30th Septr. 1863 as requested in the Resolution of the House of the 20th Instant.

I have the honor to be &c. &c.
James Douglas

Colony of Vancouver Island

Return of the Receipts and Expenditure for the Magisterial Department of the District of Nanaimo from 1st Jany. 1861 to 30th Septr. 1863.

I. Receipts Nil.

II. Expenditure

Fees to Justice for year 1860.	243.90
Salary to Magistrate year 1861.	658.53
Do. Do. Do. Do. 1862.	609.75
Rent of Court House and Gaol to 31st Decr. 1862.	97.00
Salary to Magistrate year 1863.	921.25
Total Expenditure	2,530.43

(This amount includes \$121.25 arrears of 1862.)

(signed) A. W. Watson, Treasurer

Vancouver Island Treasury
23rd Octr. 1863.

Vancouver Island

Victoria, 26th Octr. 1863.

To, The Speaker and Gentlemen of The House of Assembly
Gentlemen,

In compliance with the Resolution of the House dated the 25th Instant, I have the honor to transmit herewith a Return of the Vancouver Coal Company's Land at Nanaimo, and of the Lands reserved for public purposes.

I have the honor to be
Gentlemen &c. &c.
(Signed) James Douglas

Vancouver Island

Victoria 26th Octr. 1863

To The Speaker, and Gentlemen of The House of Assembly—
Gentlemen

With reference to the following Resolution of the House "That His Excellency The Governor be respectfully requested to lay before This House any information or correspondence relating to the erection of a Lighthouse for the Port of Nanaimo" I have the honor to acquaint you that no correspondence has taken place with reference to that object: the question of the erection of a Lighthouse at Nanaimo never having, to the best of my recollection, been under the general consideration of this Government.

I have the honor to be
Gentlemen &c. &c.
(Signed) James Douglas.

Mr. Speaker read the following Message from the Legislative Council.

To The Speaker and Gentlemen of The House of Assembly
Gentlemen,

I have the honor to return herewith to Your Honble. House a Bill intituled "An Act for the Election of a Mayor and Councillors for the city of Victoria at the expiration of the period for which the present Mayor & Councillors are Elected," which, with the amendment, attached thereto has this day passed The Legislative Council.

I have &c. &c.
E. J. Nesbitt
Clk. of the Council

Dr. Trimble from the Committee on the Public Lands of the Colony reported "That B. W. Pearse Esqre. Acting Surveyor General refused on the 27th Inst. to produce on the Chairman's order, the Maps of the Colony before the Committee, and that he also absented himself with the consent of the Committee for about ten minutes but did not afterwards return."

Mr. De Cosmos then proposed the following Resolution.

That the Speaker's Warrant be issued forthwith to the Sergt. at Arms to take into Custody the Acting Surveyor General and to bring the Acting Surveyor General to the Bar of the House at 3. o'Clock tomorrow on a charge of not producing certain Maps ordered by the Committee on Crown Lands—and for non-appearance at the sitting of the said Committee, after being granted leave to retire for about ten minutes.

2ded by Dr. Trimble.

Col. Foster moved the following Amendment.

That the Report of Committee be referred back to the said Committee on Crown Lands for reconsideration.

2ded by Mr. Burnaby.

Mr. Speaker put the Resolution of Mr. De Cosmos, which was carried.

Ayes 7:

Messrs. Bayley
Dennes
De Cosmos
Carswell
Duncan
Street
Dr. Trimble

Noes 6:

Col. Foster
Messrs. Ridge
Young
Burnaby
Drs. Powell
Tolmie

Dr. Tolmie, by permission, withdrew his motion on the Union of the Colonies of British Columbia and Vancouver Island.

Mr. Burnaby applied for 3 weeks' leave of absence—which was granted.

Read 1st time Bill entitled the "Alien Act 1863."

Thursday, the 29th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Drs. Trimble, Tolmie, Powell, and Messrs. Street, Duncan, Bayley, Dennes, W. A. G. Young, Carswell.

The Minutes of last Meeting having been read and confirmed.

Mr. Speaker said that he wished to explain to the House a circumstance affecting the Action proposed to be taken by the House in the matter of the alleged contempt on the part of the Honble. the Acting Surveyor General.

On the motion of Mr. Bayley The House was cleared of Strangers.²⁶

And after some discussion Mr. De Cosmos moved "That an humble Address be presented to H. Excy. The Governor asking that this House may be informed when B. W. Pearse Esqre. Acting Surveyor General was sworn in as a Member of the Legislative Council, stating the day, hour, and minute, and by whom he was sworn in."

Mr. Carswell seconded the motion—which was carried.

Mr. Ridge rose to explain that he had been misrepresented by the Press as having voted on the previous day on Col. Foster's amendment—the fact being that he did *not* vote [in the affirmative] on the occasion.²⁷

Dr. Tolmie moved "That the Resolution arrived at yesterday to bring before This House Mr. B. W. Pearse, Acting Surveyor General in the custody of the

²⁶ Marginal note: "Mr. Speaker here informed The House that since the Decision arrived at on the previous day by The House he had learned that B. W. Pearse Esq. Dep. Surveyor Genl. was a Member of the Legislative Council & that he had consequently not put his Warrant in force pending further reference to Honble. Members of this House. T. W. Horne Clerk H.A. Octr. 28th. 1863."

²⁷ The *Colonist*, 29 October 1863, incorrectly reported that Ridge had voted in the affirmative.

Serjeant at Arms under Warrant from the Speaker be rescinded, inasmuch as the House has been informed by Mr. Speaker that the Surveyor General is a member of the Upper House."

Seconded by Mr. Young.

Mr. Bayley moved that the following words be added viz.:

And this House ask B. W. Pearse Esqre. to appear before this House, to explain.

Seconded by Mr. Tolmie and carried.

Positives:

Messrs. Tolmie
Young
Ridge
Powell
Street
Bayley

Negatives:

Messrs. De Cosmos
Carswell
Duncan
Dennes
Dr. Trimble

The Clerk of the House was then directed by the Speaker to request the presence of the Acting Surveyor General to explain.

Shortly afterwards Mr. B. W. Pearse made his appearance at the Bar of the House and by direction of Mr. Speaker was accommodated with a chair—and Having explained—Mr. De Cosmos moved "That the explanation of the Acting Surveyor General be accepted"—which was carried—and The Honble. The Acting Surveyor General retired.

Mr. Ridge gave notice of motion for tomorrow.²⁸

The House then adjourned to tomorrow Octr. 30th at 3. P. M.

Speaker

Friday, the 30th day of October, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Messrs. W. A. G. Young, Street, Ridge, Bayley, Dennes, Carswell, De Cosmos, Col. Foster, and Drs. Trimble, Tolmie, Powell.

Dr. Trimble from the Committee on the Public Lands of the Colony asked that the Committee be empowered to adjourn from place to place.

Mr. Speaker ruled that as Dr. Trimble did not make the request in consequence of any decision arrived at by the Committee, it would be more regular that, on the next meeting of the Committee, a resolution of that body should be made the basis of an application to the House.

²⁸ Motion Book, p. 43: "That a Humble Address be presented to H. E. the Govr. praying that he will be pleased to instruct the Acting Surveyor Genl. to place at the disposal of the Committee on Crown Lands all Maps Documents & Papers they may require to carry out the duties relating to inquiries on Crown Lands."

Notices. Col. Foster gave notice of motion for next meeting—(remaining Despatches of H. G. the Duke of Newcastle.)

A Bill intituled the "Provisional Act for the Election of Mayor and Councillors 1863" was agreed to as amended by the Council.

Mr. Bayley gave notices of motion for next meeting (vide motion Book).²⁹

Mr. De Cosmos gave notice of his intention to move an Address at next meeting for Returns &c.

Mr. De Cosmos—That he would bring in a Bill on Thursday next, to amend "An Act to provide for the Administration of Oaths in the House of Assembly, and the production of Evidence before Committees of the same."

Ordered 3rd Reading of an "Act to repeal the Vancouver Island Stamp Act 1862" [and] "An Act respecting Barristers and Attornies at Law" on Monday next.

The House then went into Committee of the Whole.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

The Committee took up the "Cowichan & Comax Bill."

After much discussion Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having the Bill referred to them under their consideration, had agreed to the same as altered and amended.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker.

Monday, the 2nd day of November, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, Tolmie, Col. Foster, and Messrs. Young, Street, Duncan, Carswell, Ridge, De Cosmos, Bayley, Dennes.

The minutes of last meeting having been read and confirmed.

²⁹ Motion Book, p. 44: "On Monday next (Novr. 2nd) To ask for information regarding the Appointment of Postmaster for Nanaimo, and Returns from that Branch of the Revenue of this Colony.

"At next meeting of this House to ask for Information regarding the Appointment of the Acting Constable at Nanaimo; from whom he received his Authority and the Amount of Salary attached to his office (if any).

"At next Meeting of this House to ask for Information regarding the Burial Ground at Nanaimo whether any Land is set apart for such purpose—whether the Land in which now lie buried some thirty persons is consecrated ground or otherwise.

"At next Meeting of this House To ask that the Minutes of the Proceedings of the Magisterial Department of Nanaimo be laid before this House.

"At next meeting of this House to ask for Information regarding the Passage of a Bill constituting the Port of Nanaimo a Port of Entry."

Mr. De Cosmos gave notice of motion for Thursday next the 5th Inst.³⁰

Mr. De Cosmos—On Monday 16th Instant to move An Address to His Excy. the Governor (on mines of Vancouver Island).³¹

Mr. Bayley brought forward his Resolution

That An humble Address be presented to His Excellency praying that information may be afforded to This House regarding the appointment of the Acting Constable at Nanaimo from whom he received his Authority, and the amount of Salary attached to his office (if any).

Seconded by Mr. De Cosmos and carried.

Mr. De Cosmos Brought up his Resolution.

That an Address be presented to His Excy. The Governor, praying that a Copy of the Letter of the Colonial Secretary sent by command of his Excellency the Governor to the Acting Surveyor General relative to the non-production of the Maps before the Committee on Crown Lands, be laid before the House.

2nded by Mr. Ridge, and carried.

Mr. Bayley Brought up his Resolution.

That His Excellency the Governor be prayed to cause to be laid before this House the minutes of the Proceedings of the Magisterial Department of Nanaimo for the last two years.

2nded by Mr. Dennes.

Mr. De Cosmos proposed as an Amendment "That a List of the cases tried, and fines and fees collected" be substituted.

Mr. Bayley accepted the Amendment which was put, and carried.

Mr. Bayley Brought up the following Resolution which was seconded by Mr. De Cosmos and carried.

That His Excellency The Governor be respectfully prayed to cause to be laid before this House, information regarding the Appointment of Post Master for Nanaimo, and Returns from that Branch of the Revenue of this Colony.

Mr. Bayley Brought up the following Resolution.

That His Excellency be prayed to cause to be laid before this House information regarding the Burial Ground at Nanaimo, whether any Land is set apart for such purpose Whether the Land in which now lie buried some 30 persons is consecrated ground or otherwise.

2nded by Mr. Dennes and carried.

Dr. Trimble from the Committee on Crown Lands reported, that The Committee asked leave to adjourn from time to time, and from place to place.

The question "that leave be granted," was put, and carried unanimously.
Leave granted.

³⁰ Motion Book, p. 46: "On Thursday next 5th Novr. I will ask leave to bring in a Bill entitled 'An Act to Amend the Bills of Sale Act 1861'."

³¹ Motion Book, p. 46: "On Monday Novr. 16th I will move that An humble Address be presented to H. E. the Govr. Praying that he will be pleased to issue a Proclamation as early as possible setting forth Conditions on which Gold Copper in Quartz, or other veinstone may be taken up, held, and worked; and also the conditions on which placer gold diggings may be taken up, & worked."

Colonel Foster brought up his Resolution.

That this House, in Committee of the Whole, at an early day take into consideration the Despatches of H. Grace the Duke of Newcastle alluded to in His Excellency's opening Speech to this House, which have been submitted to our consideration by His Excellency the Governor.

Which was seconded by Mr. De Cosmos and carried.

Mr. Speaker named Monday next as the day for going into Committee of the Whole on the above.

On the motion of Mr. De Cosmos The "Representation Extension Bill" was recommitted.

Bills read a 3rd time and passed.

The Legal Profession Act 1863.

Act to repeal Vancouver Island Stamp Act 1862.

The House then went into Committee of the Whole on the Pilot Bill.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress, and asked leave to sit again.

Leave granted.

"A Bill to incorporate the Chamber of Commerce" was read a 1st time, and referred to the Committee on Private Bills.

The House then adjourned to tomorrow Novr. 3rd at 3. P. M.

J. S. Helmcken
Speaker.

Tuesday, the 3rd day of November, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker, Messrs. Dennes, Street, De Cosmos, Bayley, Carswell, W. A. G. Young, and Drs. Tolmie, Powell.

The minutes of last meeting having been read and confirmed.

Mr. Street from the Committee on the Roads of the Colony asked

1. That power be given to the Committee on Roads, to enquire into the Expenditure on Roads, commencing from the Estimates for 1861.

2. Power to enquire into all contracts entered into, and carried out on the Roads in the Colony, and all payments made thereon.

3. Power to call for persons, papers and documents.

4. That power be granted to adjourn from place to place.

Question put and carried.

Leave granted.

The House then went into Committee of the Whole on the Pilot Bill.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That leave be granted.

Speaker.

Thursday, the 5th day of November, 1863

There being no Quorum There was no House this day.

Friday, the 6th day of November, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker in the Chair, Dr. Powell, and Messrs. Young, Bayley, De Cosmos.

Mr. Speaker read a Letter from His Excellency The Governor recommending the Appropriation of one Thousand Dollars to cover the expense of internal fittings necessary to render the New Court House fit for occupation, said appropriation to be included in a Supplemental Estimate.

Also Copy of a Letter addressed by the Colonial Secretary to the Acting Surveyor General, touching the production of the maps of the Colony &c. before the Committee on Crown Lands, transmitted by H. E. The Governor in compliance with the request of the House contained in its Resolution of the 2nd Instant.

Also A Letter from His Excellency The Governor in reply to Mr. Speaker's Letter of 28th ultimo (requesting information in reference to certain Proceedings of the Legislative Council) informing the House that He had caused a Copy of Mr. Speaker's Letter to be transmitted to the President of the Council.

Notice. Mr. Young gave notice that he would move at next meeting of the House "That the House do take into consideration the suggestion of H. E. the Governor with reference to the appropriation of one Thousand Dollars for the furnishing of the New Court House."

Mr. De Cosmos moved for leave to introduce a Bill to amend the Bills of Sale Act 1861.

Leave granted.

Also A Bill to amend an "Act for the Administration of Oaths in the House of Assembly," and Evidence before Committees of the same.

The House then went into Committee of the Whole on the following Bills.

“Pilot Bill” and Writs of “Capias restriction Act.”

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported the above Bills agreed to as altered and amended.

Speaker

Monday, the 9th day of November, 1863

This being the Anniversary of H. R. H. the Prince of Wales the House did not meet.

Speaker

Tuesday, the 10th day of November, 1863

The House met this day at 3 p. m.

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Jackson, Ridge, Dennes, and Dr. Trimble.

The Minutes of last meeting having been read, and confirmed.

Mr. Ridge moved that a day be named for the 2nd Reading of the Bill to amend the “Act to provide for the naturalisation of Aliens.”

Mr. Speaker appointed Friday next.

The following Bills were then read, as amended in Committee; and agreed to viz.:

“Pilot Act” and “Writs of ne exeat Regno restriction Act” and ordered to be read a third time on Friday next.

Mr. De Cosmos moved and Mr. Ridge seconded That A Bill entitled “An Act to amend the Bills of Sale Act 1861” be read a 1st time.

Carried.

Bill read 1st time and ordered to go to a 2nd Reading.

Also a Bill entitled “An Act to amend the Act to provide for the Administration of Oaths in The House of Assembly, and the production of Evidence before the same.”

Mr. Ridge seconded.

Carried.

Bill read a 1st time, and ordered to go to a 2nd Reading.

Both Bills were then ordered to be printed.

Mr. Young moved that the House do take into its consideration tomorrow, the suggestion of His Excellency The Governor with reference to the appropriation of one thousand Dollars for the purpose of providing furniture for the new Court House.

Mr. De Cosmos seconded.

So ordered, and that the "Cowichan, Comax, and Alberni Registration Act" be then taken up.

The House then adjourned to tomorrow at 3. P. M.

Speaker

Wednesday, the 11th day of November, 1863

The House met this day pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. W. A. G. Young, A. De Cosmos, Street, Carswell, Dennes, Drs. Trimble, Powell, and Col. Foster.

The Minutes of last meeting having been read, and confirmed.

Dr. Trimble from the Committee on Crown Lands reported that the Committee had resolved to apply to the House for the services of a shorthand writer.

Dr. Trimble, after some discussion, put the resolution following.

That a shorthand writer be appointed to attend the Committee on Crown Lands.

Mr. Bayley seconded.

Motion carried.

The House then went into Committee of the Whole.

Mr. Speaker left the Chair.

Mr. Powell in the Chair of the Committee.

The Committee took into its consideration the Communication of His Excellency the Governor recommending the appropriation of a sum of money to furnish the New Court House.

Also Colonel Foster's Resolution on the Despatches of H. G. the Duke of Newcastle.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the communication of His Excellency the Governor had agreed to an appropriation of a sum of \$900. for the purpose mentioned therein and with reference to the Resolution of the Honble. Member for Esquimalt Town the Committee report progress, and ask leave to sit again.

Ordered That Report be received, and Leave granted.

Mr. Young gave notice of motion for Monday next.³²

The House then adjourned to tomorrow at 3. P. M.

Speaker.

³² Motion Book, p. 47: "That a Committee be appointed to draft a Memorial to H. M. Principal Secretary of State for the Colonies praying That H. M.'s Govt. will take steps for providing a direct Steam Communication from Panama to these Colonies."

Monday, the 16th day of November, 1863

The House met this day pursuant to adjournment, at 3. P. M.

Present: Mr. Speaker in the Chair, Col. Foster, Drs. Trimble, Powell, and Messrs. Jackson, Duncan, Bayley, Ridge, De Cosmos, W. A. G. Young, Carswell, Dennes.

Dr. Trimble from the Committee on the Public Lands of the Colony reported that Mr. Gastineau who had been summoned to appear before said Committee had failed to obey,³³ and requested that Mr. Speaker would point out the proper course to be taken by the Committee in the matter.

The Chairman also reported that another witness Mr. McTavish had not attended but had signified his readiness to attend whenever required so to do. It had come to his knowledge that Mr. McTavish was about to leave the Colony by next Mail Steamer & therefore he submitted the matter for the consideration of the Speaker.

Mr. Speaker said he would take the matter into consideration.

Col. Foster from the Committee on Private Bills Reported that in re John Copland, the proper formalities and requirements had been complied with, and the Petition is one which ought to be entertained.³⁴

Ordered to be received.

Bill read a 3rd time and passed—viz. “Bill To restrain Writs of ne exeat Regno,” &c.

On motion of Mr. Bayley 2nded by Mr. Duncan “The Pilot Bill for Victoria” was recommitted—Mr. De Cosmos alone voting for the 3rd Reading.

Bill read a second time.

A Bill to provide for the Naturalisation of Aliens.

It was moved by Dr. Trimble—2nded by Mr. Dennes—That Bill be read a 2nd time this day six months.

For 2nd Reading of the Bill: 7

Col. Foster
Dr. Powell
Messrs. Jackson
Ridge
Bayley
De Cosmos
W. A. G. Young

For the Amendment: 4

Dr. Trimble
Messrs. Dennes
Carswell
Duncan

Original motion carried.

³³ John Gastineau, C.E., who was employed by Dugald McTavish of the Hudson's Bay Company to survey the Government Reserve in James Bay in 1858, refused to attend the hearing of the committee “except under payment.” *Chronicle*, 20 November 1863. For his subsequent testimony before the Committee, see *Minutes of Proceedings of a Select Committee of the House of Assembly, Appointed to Inquire into the Present Condition of the Crown Lands of the Colony* . . . (Victoria: Printed by Harries and Company, 1864).

³⁴ An attorney from Scotland, Copland petitioned for permission to practice in Vancouver Island. For further information see Dorothy Blakey Smith, ed., “The Journal of Arthur Thomas Bushby, 1858–1859,” *BCHQ*, XXI (January–October, 1957–58), 168–69.

Mr. Young obtained permission of the House to postpone the motion of which he had given notice (on the subject of Steam Communication with England) until after the Duke of Newcastle's Despatches shall have been brought under discussion.

Mr. De Cosmos also obtained leave to postpone the motion of which he had given notice.³⁵

The House then went into Committee of the Whole on the Despatches of H. G. The Duke of Newcastle referring to overland Telegraphic Communication with Canada.

Committee rose.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Report received.

Leave granted and the House adjourned to Wednesday next at 3 P.M.³⁶

J. S. Helmcken
Speaker

Thursday, the 19th day of November, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker in the Chair, Dr. Trimble, and Messrs. W. A. G. Young, Street, Duncan, Dennes, De Cosmos.

The minutes of last meeting having been read, and confirmed.

Mr. Speaker said that with reference to the Report of the Committee on Public Lands of the Colony, as submitted to him at last meeting, by its Chairman;

That Committee having power to send for persons, Documents & Records, had full power to summon Witnesses, who were bound to obey the Summons of such Committee, though no tender of payment of expenses should have been previously made and that no payment of expenses was allowed except in cases of unusual difficulty—such as when persons were summoned from a great distance &c.

With reference to the case of Mr. McTavish that Gentleman had subsequently attended at the Committee Room, but there being no 'quorum,' his attendance was in vain.

Mr. Street from the Committee on the "Public Roads of the Colony" reported the difficulty the Committee experienced from the Absence of a Clerk of Committee.

³⁵ The *Colonist*, 17 November 1863: "De Cosmos asked leave to postpone his motion for a request to His Excellency in reference to a proclamation on the mineral lands of the Colony. Granted."

³⁶ According to the *Colonist*, 19 November 1863, "A large number of the members were present yesterday [Wednesday] afternoon, but as His Honor the Chief Justice was anxious to finish the Oppenheimer case, the Speaker postponed the meeting of the House till to-day."

Dr. Trimble reported that Committee on the Public Lands of the Colony were greatly impeded by the difficulty of obtaining so large a quorum as 5, and moved "That 'Three' be substituted for 'five' as a quorum."

2nded by Mr. Duncan, and carried.

Mr. De Cosmos Brought up his Resolution of which he had given notice on the 2nd Instant.

That an humble Address be presented to His Excellency The Governor praying that he may be pleased to issue a Proclamation as early as possible setting forth the conditions on which Gold, and Copper, in Quartz and other vein-stone may be taken up and worked; the conditions on which Coal mines may be taken up and worked; and some Regulations with reference to placer gold diggings if deemed desirable; and that the Mining Regulations so issued may be framed so as to offer inducements to labor and capital to engage in rendering the mines of the Colony productive.

2nded by Mr. Street, and carried.

Dr. Trimble brought up his Resolution.

That an Address be presented to His Excellency the Governor asking for Copies of any Despatches that have passed between H. M.'s Government and the Colonial Government, together with the Documents connected therewith, upon the subject of the manner in which the Land at Victoria commonly known as the "Church Reserve" shall be dealt with.

2nded by Mr. Duncan, and carried.

Mr. Duncan gave notice of motion for next meeting.³⁷

The Despatch of H. G. the Duke of Newcastle was not discussed in consequence of the small attendance of members.

Ordered That the "Pilot Bill" and the "Cowichan, Comax, & Alberni Representation Bill" be taken up in Committee of the Whole tomorrow, or at next meeting.

J. S. Helmcken
Speaker

Wednesday, the 25th day of November, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker in the Chair, Col. Foster, Dr. Tolmie, and Messrs. W. A. G. Young, Duncan, De Cosmos, Dennes, Carswell.

The minutes of last meeting having been read and confirmed.

Mr. Duncan brought up the following Resolution of which he had given previous notice—viz.:

That an Address be presented to His Excellency The Governor requesting Copies of any Despatches relative to the Crown Lands which may have arrived subsequently to those already before the House.

Seconded by Mr. Carswell and carried.

³⁷ Motion Book, p. 47: "That an Address be presented to His Excy. requesting Copies of any Despatches relative to the Crown Lands, which may have arrived since those already before the House."

The House then went into Committee of the Whole on the Despatch of H. G. The Duke of Newcastle on Telegraphic and Postal Communication between Lake Superior and New Westminster.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that The Committee having had under its consideration the above Despatch had passed the following Resolution.

That this House having taken into consideration the Despatches, and Papers laid before it relating to the construction of a Postal and Telegraphic communication from Lake Superior to New Westminster, is (although regarding such a Project with warm interest) unable to arrive at a decision in the matter, until it may be ascertained what course will be taken in respect of such project by the Canadian, and other Legislatures in the Eastern Provinces interested therein— and That a copy of this Resolution be sent to H. E. The Governor for transmission to H. M.'s Principal Secretary of State for the Colonies.

Bills ordered to be read a second time on Friday next Entitled "The Legislative Oaths Act 1863" [and] "Bills of Sale Amendment Act 1863."

Bills recommitted, to be taken up in Committee of the Whole at next meeting.

Pilot Bill 1863.

Cowichan, Comax, & Alberni Representation Act 1863.

Speaker

Thursday, the 26th day of November, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Ridge, Carswell, De Cosmos, Bayley, Dennes, Duncan, Burnaby, Street, and Drs. Trimble, Powell.

The Minutes of last meeting having been read and confirmed.

The Petition of John Copland was brought up, and, on the motion of Mr. De Cosmos—2ded by Mr. Duncan—Read a 1st time and ordered to be read a second time at next Meeting of the House.

The House then went into Committee of the Whole on the Pilot Bill.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported the Bill complete with amendments and additions.

Ordered That the Report be received, and the Bill brought up for 3rd Reading at next meeting.

The House then adjourned to tomorrow at 3. p. m.

J. S. Helmcken
Speaker.

Friday, the 27th day of November, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Street, Dennes, Young, and Dr. Tolmie.

The minutes of Last meeting having been read and confirmed.

The following Bills were read a second time and committed viz.:

The Legislature Oaths Act 1863 and A Bill entitled an Act to amend the Bills of Sale Act 1861.

Mr. Speaker read a communication from H. Ecy. the Governor giving cover to a Report from the Magistrate at Nanaimo touching the appointment duties, and emoluments, of the Constable of that place.

The House then went into Committee of the Whole.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

The Committee then took up the Cowichan, Comox, & Alberni Representation Bill.

Also the Fireman's Exemption Bill 1863.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Bills submitted to them had agreed to the former Bill with amendments, and additions—and with reference to the latter, had made progress, and asked leave to sit again.

Ordered That the Report be received, and Leave granted.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker.

Monday, the 30th day of November, 1863

The House met this day pursuant to adjournment, at 3 P. M.

Present: Mr. Speaker in the Chair, Messrs. W. A. G. Young, Duncan, Carswell, Dennes, De Cosmos, Bayley, Street, and Drs. Powell, Tolmie.

Mr. Duncan gave notice of motion for Monday next Decr. 6th [7th] (vide notice Book.)³⁸

³⁸ Motion Book, p. 48: "On Monday Decr. 6th [7th] 1863 I will ask leave to bring in a Bill entitled an Act to prevent the unauthorized issue of Bank Notes & Paper Currency."

Mr. De Cosmos—notice of motion next meeting—also for Friday Decr. 3rd [4th]—also for Monday Decr. 6th [7th] vide Notice Book.³⁹

Mr. Young brought up the Resolution of which he had given notice “That a Committee be appointed to draft a Memorial to H. M.’s Principal Secretary of State for the Colonies, or to take the necessary preliminary measures with respect thereto, praying that H. M.’s Government will take steps for providing a direct Steam Communication from Panama to their Colonies.

Which was seconded by Mr. Duncan and carried.

Mr. Speaker ordered the following Committee in accordance with the above Resolution viz.: Messrs. Young, Burnaby, and Ridge.

The following Bills were read a 3rd time and passed.

The Pilot Bill 1863.

The Representation Extension Bill 1863.

The House then went into Committee of the Whole on “The Fireman’s Act 1863.”

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that The Committee having had under consideration the Bill submitted to them had, after making amendments and additions, agreed to the same.

J. S. Helmcken

Speaker

Tuesday, the 1st day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, De Cosmos, Duncan, Dennes, Bayley, Ridge, Young, Carswell, Street, and Drs. Trimble, Powell, Tolmie.
The minutes of last meeting having been read, and confirmed.

Mr. De Cosmos—pursuant to notice, moved for leave to bring in a Bill entitled “an Act to grant jurisdiction to Justices of the Peace in Civil Cases.”

The motion was seconded by Mr. Duncan, and carried.

Ordered That leave be granted.

The House went into Committee of the Whole on “The Alien Bill 1863.”

Mr. Speaker left the Chair.

³⁹ Motion Book, p. 47: “On Tuesday Decr. 1, 1863 I will ask leave to bring in a Bill entitled ‘An Act to grant jurisdiction to Justices of the Peace in Civil Cases.’”

Motion Book, p. 48: “On Friday Decr. 3rd [4th] I will move that the House fix a day to go into Committee of the Whole with the object of considering the expediency of framing a new Act granting Licenses for the sale of Liquor and reducing the rates of the same.”

Motion Book, p. 48: “On Monday Decr. 6th [7th]/63 I will ask the House to fix a day to go into Committee of the Whole to consider the expediency of taking preliminary Steps to secure a reciprocity Treaty between this Colony & British Columbia & the United States of America.”

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that he had no Report to make.

Dr. Tolmie gave notice of motion for Monday 7th December Instant—(vide Notice Book).⁴⁰

The House then adjourned to tomorrow at 3. P. M.

Speaker

Wednesday, the 2nd day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Colonel Foster, and Messrs. W. A. G. Young, Street, Carswell, De Cosmos, Bayley, Dennes.

Mr. Speaker read the following communication from His Excellency the Governor.

Victoria 2nd Decr. 1863

To The Speaker and Gentlemen of the House of Assembly
Gentlemen,

With reference to the Resolution of the House of the 25th ultimo I have the honor to transmit herewith further correspondence on the subject of the conveyance to the Crown of certain Lands by the Hudson Bay Co. subsequent to the correspondence upon the same subject laid before the House with my message of the 15th Sept. last.

I have the honor to be &c. &c.

(Signed) James Douglas

Ordered That the correspondence above referred to be printed.⁴¹

The House then went into Committee of the Whole on the following Bills.

An Act to amend the Bills of Sale Act 1861.

An Act to provide for the Administration of Oaths in the House of Assembly &c.

Mr. Speaker left the Chair.

Mr. Duncan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported the above Bills agreed to with amendments and additions.

J. S. Helmcken
Speaker

⁴⁰ Motion Book, p. 48: "I give Notice that I will on Monday 7th December ask the House to appoint a day for going into Committee of the Whole to consider the propriety of memorializing H. G. the Duke of Newcastle as to the necessity of early measures for the fortification of Esquimalt Harbor."

⁴¹ *Correspondence upon the Subject of the Conveyance to the Crown of Certain Lands by the Hudson's Bay Company* . . . (Victoria: "Daily Chronicle" Office, 1863).

Friday, the 4th day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Colonel Foster, and Messrs. Young, Ridge, Street, De Cosmos, Bayley, Duncan.

The minutes of last meeting having been read and confirmed.

Colonel Foster from the Committee on Private Bills, reported the following Bills in due form, and that all the requirements of the Standing Orders of the House had been complied with, and that the Committee recommend that the House do entertain the same favorably—viz.:

A Bill to incorporate the Chamber of Commerce of Victoria V. I.

A Bill entitled "An Act for the relief of John Copland."

Ordered That above Bills be read a 1st time at next meeting.

With reference to the Petition of the "Independent Order of Good Templars of Victoria V. I." The Committee, on examination, finds that the Petition is too indefinite in its character for the Committee to arrive at any conclusion with regard to its objects or requirements and recommends that it be refused.

The Fireman's Protection Act 1863 was then brought up, read a third time, and passed.

Mr. Speaker read a Communication from His Excellency The Governor announcing to the House that Mr. Horne has tendered his resignation of the Office of Clerk of the House, and that H. E. had been pleased to accept the same.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker

Monday, the 7th day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, Col. Foster, and Messrs. Burnaby, Ridge, Duncan, De Cosmos, Dennes, Carswell, Bayley, Young.

The minutes of last meeting having been read, and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

To, the Speaker and Gentlemen of The Legislative Assembly—
Gentlemen,

I have the honor to transmit herewith for the information of the House the Copy of an Order in Council dated 12th day of September 1863, approving and confirming certain Acts therein enumerated, passed by the Legislature of Vancouver Island.

I have the honor to be &c. &c.
(sd.) James Douglas

Acts above referred to.

No. 78. An Act to declare the Law relating to Bankruptcy and Insolvency in Vancouver Island & its Dependencies.

No. 79. An Act for the regulation of the Harbors of Vancouver Island.

No. 80. An Act for consolidating in one Act certain Provisions usually inserted in Acts authorising the taking of Lands for undertakings of a public nature.

No. 81. An Act for consolidating in one Act certain Provisions usually inserted in Acts, authorising the making of Railways.

No. 82. An Act to declare the validity of Debentures issued by the Municipal Court of Victoria.

No. 83. An Act to declare the denominations to be used in the various Stamps issued under the Stamp Act, 1862.

No. 84. An Act to declare the Fees, Licences, & Dues payable for the entrance, & clearance of Vessels, and for permits for landing goods, and for licenses to Scows, Boats and other Small Craft, in the Ports of entry in Vancouver Island other than Victoria and Esquimalt.

Mr. Ridge gave notice that he would move at next meeting of the House that the House proceed to act upon the communication from His Excellency the Governor touching the appointment of a successor to present Clerk of this House.

The following Bills were brought up, read a third time, and passed—viz.:

A Bill entitled “an Act to amend the Bills of Sale Act 1861.”

A Bill entitled “an Act to provide for the Administration of Oaths in the House of Assembly, and the production of Evidence before Committees of the Same.”

Mr. De Cosmos, pursuant to Notice, brought up his Resolution asking leave to bring in a Bill entitled “an Act to grant jurisdiction to Justices of the Peace in civil cases” which was 2nded by Dr. Trimble, & carried.

Leave granted.

Bill read 1st time.

Mr. Duncan obtained leave to bring in a Bill entitled “An Act to prevent the unauthorised issue of Bank Notes and Paper Currency”—which was also read 1st time, and Both Bills were ordered to be printed.

Mr. De Cosmos, pursuant to notice, moved “That the House go into Committee of the Whole with the object of considering the expediency of framing another Liquor License Act as a Substitute for those Acts now in force &c.”

2nded by Mr. Dennes—and carried.

Friday next was named as the day on which the House would go into Committee on the same.

Also That this House go into Committee of the whole on Friday next, for the purpose of considering the expediency of taking preliminary Steps to

secure a reciprocity Treaty between this Colony and British Columbia, and the United States of America.

2nded by Mr. Duncan—and, carried.

Friday next appointed.

Mr. Duncan gave Notice of Motion for Monday next.⁴²

Wednesday next was appointed for proceeding with 2nd reading of the Bills brought up from the Private Bills Committee.

The House then adjourned to tomorrow at 3. P. M.

J. S. Helmcken
Speaker.

Wednesday, the 9th day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, Tolmie, Col. Foster, and Messrs. Burnaby, Ridge, De Cosmos, Street, Duncan, Dennes, Bayley.

The Minutes of last Meeting having been read, and confirmed.

Dr. Tolmie pursuant to previous notice, brought up his Resolution.

That This House do appoint a day for going into Committee of the whole to consider the propriety of memorialising H. G. The Duke of Newcastle as to the necessity of early measures for the fortification of Esquimalt harbor.

Mr. De Cosmos seconded.

Mr. Speaker named Friday week next for going into Committee on the above.

Mr. Dennes gave Notice of Motion for Friday the 18th Decr. Instant.⁴³

The following Bills were read a Second time, and Committed; viz.:

A Bill to Incorporate the Chamber of Commerce and

A Bill for the Relief of John Copland.

The House then went into Committee of the whole on His Excellency's Message with reference to the Appointment of a Successor to the present Clerk of the House.

Mr. Speaker left the Chair.

Mr. Powell in the Chair of the Committee.

His Excellency's message having been read Dr. Trimble moved the following Resolution.

That it is the undoubted Right of this House to elect its own Clerk, and all the officers thereunto belonging.

Col. Foster moved as an Amendment.

⁴² Motion Book, p. 49: "That I shall on Monday next Move that this House go into Committee of the Whole at an early date to consider the propriety of Establishing a Govt. Assay Office in Victoria."

⁴³ Motion Book, p. 49: "I give notice That I shall on Friday the 18th Instant ask leave to bring in a Bill for the more easy recovery of small Debts & Demands."

That this House decides that the nomination of Clerk to the House of Assembly rests in the hands of the Executive at the recommendation of Mr. Speaker.

Dr. Tolmie seconded the Amendment.

The Chairman then put the Resolution of Dr. Trimble.

<i>Ayes:</i>	<i>Noes:</i>
Dr. Trimble	Col. Foster
Messrs. De Cosmos	Drs. Helmcken
Street	Tolmie
Duncan	Messrs. Burnaby
Ridge	W. A. G. Young
	Dennes

Ayes 5, Noes 6.

Resolution lost.

Col. Foster's Amendment was then put.

<i>Ayes:</i>	<i>Noes:</i>
Drs. Helmcken	Dr. Trimble
Tolmie	Messrs. De Cosmos
Col. Foster	Street
Messrs. Burnaby	Duncan
W. A. G. Young	Ridge
Dennes	

Ayes 6, Noes 5.

Col. Foster's Amendment was accordingly carried.

The Committee then rose.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under its consideration the subject submitted to it in the Communication of H. E. The Governor, referring to the appointment of a Clerk of the House of Assembly, is of opinion:

That the nomination of a Clerk of the House of Assembly rests in the hands of the Executive, at the recommendation of Mr. Speaker.

Ordered That the Report be adopted.

The House then adjourned to Monday next at 3. P. M.

J. S. Helmcken
Speaker

Monday, the 14th day of December, 1863

The House met this day at 3 P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Tolmie, and Messrs. Street, Duncan, Dennes, De Cosmos, Ridge, Young, Bayley.

The minutes of last meeting having been read and confirmed.

Mr. Speaker read a message from His Excellency the Governor accompanying certain Returns applied for by the House relating to the Lighthouses of the Colony.

Also a communication from His Excellency giving cover to certain Documents in connexion with Mail Steam Communication with Panama.

Mr. De Cosmos moved that Friday next be named as the day on which the last named communication be considered by the House.

It was so ordered.

Mr. Dennes gave notice of motion for Monday 21st Instant.⁴⁴

Mr. De Cosmos, with permission brought in a Petition from the Order of Good Templars which was referred to the Committee on Private Bills.

Mr. Duncan pursuant to previous notice, moved that this House go into Committee of the Whole this day week to consider the propriety of establishing a Government Assay Office in Victoria.

2nded by Mr. Dennes and carried.

Wednesday next was fixed as the day on which the following Bills received from the Private Bills Committee shall be taken up by the House in Committee of the Whole, viz.:

A Bill to Incorporate The Chamber of Commerce.

A Bill for the Relief of Mr. John Copland.

The House then went into Committee of the whole on the subject of "The Reciprocity Treaty" proposed by Mr. De Cosmos.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had made Progress, and asked leave to sit again.

Leave granted.

The House then adjourned to tomorrow at 3. P. M.

J. S. Helmcken
Speaker.

Tuesday, the 15th day of December, 1863

The House met this day at 3. P. M. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Dr. Powell, and Messrs. Young, De Cosmos, Dennes, Carswell, Street, Bayley, Duncan.

The last minutes having been read, and confirmed.

The House went into Committee of the Whole on the adjourned Debate on The Reciprocity Treaty with the United States.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

⁴⁴ Motion Book, p. 49: "That I shall on Monday 21st Decr. Inst. ask leave to introduce a Bill to prevent unqualified persons from drawing Conveyances."

Mr. De Cosmos brought forward the following Resolutions—viz.

1. Resolved That This House is of opinion that a Treaty, establishing unrestricted commerce, and navigation, between this Colony, and the United States of America, would be mutually advantageous.

2. Resolved That the Government of British Columbia be invited to co-operate with the Government of this Colony in order to secure a reciprocity Treaty between both Colonies and the United States of America, on satisfactory terms to all the parties concerned.

3. Resolved That the Governor be requested to take steps either by the Appointment of Delegates or otherwise as he may deem expedient, to communicate the wishes of this House to the Government of British Columbia, and otherwise to secure the speedy establishment of a reciprocal Commercial Treaty between this Colony and the United States of America.

Dr. Helmcken had great pleasure in seconding the Honble. Mover of the Resolutions. The Treaty contemplated would tend greatly to bring about a Union of the Colonies of British Columbia, and Vancouver Island.

Mr. Young, and other Honble. members also spoke in favor of the Treaty.

The first Section was then put, and carried unanimously.

Second Section put and Carried (dissentiente Mr. Bayley).

Third Section put, and carried unanimously.

The Committee then rose.

Mr. Speaker took the Chair.

The Chairman reported the foregoing Resolutions as carried, and agreed to as a Whole.

Ordered That Report be adopted and a Copy of the same forwarded to His Excellency The Governor.

The House then adjourned to Friday next at 3. P. M.

J. S. Helmcken
Speaker

Friday, the 18th day of December, 1863

There being no Quorum, there was no Meeting of the House this day.

Speaker

Monday, the 21st day of December, 1863

The House met this day at 3. P. M.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, W. A. G. Young, Chs. Ridge, Dennes, Duncan, De Cosmos, Carswell, Dr. Powell, and Col. Foster.

The last minutes having been read, and confirmed.

Mr. Speaker read a Communication from the Legislative Council giving cover to a Bill intituled "An Act to amend an Act entitled An Act for the Protection of Wooden Bridges in Vancouver's Island and its Dependencies" which had been read a 3rd time and passed the Council on the 17th Instant.

Mr. Ridge gave notice of motion (vide Notice Book Page 49.).⁴⁵

Mr. Young moved that the Standing Orders of the House be suspended in order that a Bill might be introduced to indemnify the Mayor and Corporation of Victoria.

2nded by Mr. Burnaby, and carried unanimously.

The Standing Orders having been suspended accordingly, "A Bill to indemnify the Mayor and Council of the City of Victoria" was introduced by Mr. Young, and read a 1st and 2nd time.

It was further committed on the 2nd Reading.

Mr. Young further moved That leave be granted to introduce "A Bill to render valid the collection of Licenses, and Assessments by the Mayor and Councilors of the City of Victoria."

Also "A Bill to enable the Governor to apply certain monies to the redemption of Municipal Debentures."

Leave granted, and Bills read a 1st time and ordered to be printed.

Mr. Dennes asked leave to postpone the motions of which he'd given notice till after the holidays.

Leave granted.

On the motion of Mr. Duncan 2ded by Mr. De Cosmos—The "Bank Note Act, 1863" was read a Second time, and committed.

The House then went into Committee of the Whole.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

The Committee took up "A Bill to Incorporate the Chamber of Commerce"—which was agreed to without alteration or amendment.

Also "A Bill for the relief of John Copland"—which was agreed to as amended.

The Standing Orders having been suspended the Committee then took up the "Bill to indemnify the Mayor and Town Councillors of Victoria."

The Committee then rose.

Mr. Speaker resumed the Chair.

The Chairman reported that, having had under consideration the Several Bills submitted to it, The Committee had agreed to the "Bill to incorporate the Chamber of Commerce" without alteration or amendment.

Also that it had agreed to, as amended, "A Bill to relieve John Copland."

That it had agreed to, without alteration, or amendment, "A Bill for indemnifying the Mayor and Councillors of the City of Victoria."

Ordered That the Report be received.

The last named Bill was then read a 3rd time and passed.

Mr. Speaker then adjourned the House to the 7th day of January next.

J. S. Helmcken
Speaker.

⁴⁵ Motion Book, p. 49: "To bring in a Bill entitled an Act to provide a Summary Remedy in cases of Default in the performance of labor & the non-payment of composition under the Road Act 1860."

Thursday, the 7th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Col. Foster, and Messrs. Duncan, Bayley, Dennes, Young, Burnaby, Street, De Cosmos, Ridge, Carswell.

The last Minutes having been read and confirmed.

A Communication from His Excellency the Governor to Mr. Speaker was read, approving Mr. Speaker's recommendation of R. W. Torrens, Esqre. for the Appointment of Clerk of the Legislative Assembly, and confirming the same.

Ordered for Monday next.

3rd Reading of a "Bill to incorporate the Chamber of Commerce of Victoria, V. I."

Also a "Bill entitled an Act for the Relief of John Copland."

Also House to go into Committee on Dr. Tolmie's Resolution touching "Fortification of Esquimalt."

Ordered for Tuesday next.

The consideration in Committee of certain documents received from H. E. the Governor in connexion with Steam Communication with Panama.

Ordered for Wednesday next.

An Act to grant Jurisdiction to Justices of the Peace in civil cases (De Cosmos).

Also "An Act to prevent the unauthorised issue of Bank Notes."

The House then went into Committee of the Whole on "a Bill to enable the Governor to apply certain monies to the Redemption of Municipal Debentures." Also On a Bill to render valid the collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bills had come to the conclusion, In regard to the former, and finding it impracticable, To bring in a Bill to indemnify the Governor; His Excellency having given orders to redeem the Municipal Debentures of the City of Victoria.

In regard to the latter, viz. "A Bill to render valid the collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria" The Chairman reported that the Committee begged to report the Bill back to the House.

Ordered That Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

Speaker.

Friday, the 8th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Street, Duncan, Dennes, Carswell, Bayley, Young, De Cosmos, Col. Foster, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

The House took under consideration the report of the Committee of the Whole upon "A Bill To render valid the Collection of Licenses and Assessments by the Mayor and Councillors of the City of Victoria."

A discussion ensued thereupon, in which several honorable Members joined.

Mr. Young moved That the Bill be read the first time.

Mr. Street moved an Amendment That the Bill be read this day Six Months.

Seconded by Dr. Trimble.

Mr. Young's Motion was then put.

For the Motion Ayes 2, Noes 8.

The Motion was therefore lost.

Mr. Street's Amendment was then put.

For the Amendment Ayes 8, Noes 3.

The Amendment was then put and carried.

Mr. Duncan gave Notice of Motion for Monday next.⁴⁶

The House then adjourned till 3 p. m. on Monday.

Speaker.

Detail of Votes

For Mr. Young's Motion

Ayes:

Mr. Young
Dr. Tolmie

Noes:

Messrs. Street
Duncan
Dennes
Bayley
Carswell
Col. Foster
Drs. Trimble
Powell

⁴⁶ Motion Book, p. 53: "I beg leave to give Notice that on Monday (first) I shall ask leave to move that His Excellency be respectfully requested to appoint Commissioners to collect the One half of One per cent Tax now due on real Estate and the Trade Licenses the same to be paid into the general Treasury to liquidate the City indebtedness until a new Act of Incorporation is enacted."

For Mr. Street's Amendment

Ayes:

Messrs. Street
 Duncan
 Dennes
 Bayley
 Carswell
 Col. Foster
 Drs. Trimble
 Powell

Noes:

Messrs. Young
 De Cosmos
 Dr. Tolmie

Monday, the 11th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Col. Foster, Messrs. Young, Ridge, Bayley, Dennes, Street, De Cosmos, Duncan, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

The following Bills were Read a 3rd Time and passed.

A Bill entitled An Act for the relief of John Copland.

Also "A Bill to incorporate The Chamber of Commerce of Victoria Vancouver Island."

Mr. Duncan asked leave to withdraw his Motion (Motion Book 8th Jany. 1864).⁴⁷

Leave granted.

The House then went into Committee of the Whole "To consider the propriety of memorialising His Grace the Duke of Newcastle as to the necessity of early means for the Fortification of Esquimalt Harbour."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Resolution report that the Committee deems it of the utmost importance that Defences be provided for Victoria and Esquimalt and that Steps be taken forthwith to bring the subject to the Notice of Her Majesty's Government.

Ordered That Report be adopted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
 Speaker.

⁴⁷ *Ibid.*

Tuesday, the 12th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Street, Duncan, De Cosmos, Dennes, Young, Bayley, Col. Foster, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

Victoria 7th January, 1864

To the Speaker and Gentlemen of the Legislative Assembly

Gentlemen,

With reference to the Resolution of the House of the 19th Novr. last, I have the honor to transmit herewith Copy of Correspondence relative to the conveyance to the Church of England of the land of Victoria commonly known as the Church Reserve.

I have the honor to be,
Your most obedient Servant,

Gentlemen
(sd.) James Douglas
Governor

Ordered To lie on the Table.

Order of the Day.

The House then went into Committee of the whole to consider certain documents received from His Excellency the Governor in connexion with Steam Communication with Panama.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the documents above referred to begged to report progress therein, and asked leave to sit again.

Ordered that Report be received, and leave granted.

Ordered for tomorrow.

Recovery of small debts and demands (Mr. Dennes).

Ordered for Monday next.

In Committee of the whole.

"To consider the propriety of establishing a Government Assay Office in Victoria" (Mr. Duncan).

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 13th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, and Messrs. Young, De Cosmos, Duncan, Dennes, Street, Bayley, Carswell.

The last minutes having been read and confirmed.

Mr. Dennes asked leave to bring in "A Bill for the more easy recovery of Debts and Demands." (see M. B. f. 49).

Leave granted.

Read a 2nd time and committed.

A Bill entitled An Act to grant Jurisdiction to Justices of the Peace in civil cases.

The House then went into Committee of the whole upon "An Act To prevent the unauthorized issue of Bank Notes and Paper Currency."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Bill above referred to begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered For Friday next.

Mr. De Cosmos gave Notice of Motion for Monday next (18th) (*see* M.B. p. 54).⁴⁸

Mr. Speaker then read the following Communication from J. C. Ridge, Esqre. one of the Members for the City of Victoria.

To the Honble. The Speaker of the House of Assembly of Vancouver Island and Dependencies

Sir,

I beg leave to tender my Resignation as One of the Members of the City of Victoria and in doing so offer my sincere regards to yourself individually and my colleagues in the House.

Faithfully Yours
(signed) Joseph Chas. Ridge

Helmcken, Esqre.

Speaker of the House of Assembly, Vancouver Island.

Friday, the 15th day of January, 1864

The House met this day at 3 p.m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, and Messrs. Burnaby, Duncan, Young, De Cosmos, Street, Bayley, Dennes.

The last Minutes having been read and confirmed.

⁴⁸ Motion Book, p. 54: "I will move on Monday next, Resolved that it is the undoubted right of this House to originate and pass a money Bill either with or without a request from the Executive."

Mr. Burnaby presented the following petition from the Victoria Chamber of Commerce.

To the Honble. The Members of the Legislative Assembly of Vancouver Island

The Humble Petition of the Undersigned Members of the Victoria Chamber of Commerce sheweth

That Your Petitioners regarding the Question now before Your Honorable House relative to the proper Regulation and Restriction of the Issue of Paper Money by Houses purporting to be Banking Establishments as one of vital Importance to the Welfare of this Colony would beg respectfully to submit the following for the consideration of Your Honorable Body.

That in their opinion it would be inexpedient in the present State of this Colony to make a Statute definitely arranging the Banking business.

That it should be compulsory upon all persons or Companies desirous of issuing Bank Notes or Paper Money in this Colony to first obtain a Charter from the Imperial or Colonial Legislature granting such privilege upon such terms and conditions and under such guards and restrictions as the Legislature may from time to time prescribe.

That in order to protect the Public against any illegal or dangerous Issue of Bank Notes or Paper Money by unauthorised Persons or Companies Your Honorable Body is respectfully requested to pass immediately a Bill forbidding under heavy penalties such Issue except by Banks having such privilege under an Imperial or Colonial Charter.

And Your Petitioners will ever pray

(signed) Robert Burnaby, *President C.C.*
Charles W. Wallace
P. M. Backus
John P. Couch
Henry Nathan Junr.
Jules David
J. D. Walker
Lumley Franklin
M. Sporborg
Jules Rueff
F. Weissenburger
John T. Little
Edgar & Aime
L. L'Hotelier
Selim Franklin & Co.
E. Grancini
A. Casamayon
E. Sutro & Co.
Henry Rhodes
G. Vignolo & Co.
Lowe Bros.
J. A. McCrea
A. H. Guild
Thos. Lett Stahlschmidt

Mr. Dennes asked leave to postpone A Bill For the more easy Recovery of Debts and Demands.

The House then went into Committee of the whole upon The Resolution of Mr. Burnaby.

That a Petition be presented to His Excellency the Governor by this House praying him to appoint a Ministerial Council for initiating and carrying on the Public Business in the Legislature.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Resolution begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

Mr. Speaker then read the following Communication from His Excellency the Governor giving cover to the Estimates For the Year ending the 31st Jany. 1864.

Vancouver's Island.
Victoria, 13th Jany. 1864

To The Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have the honor to lay before you, herewith, the Estimates for the Service of the Year ending the 31st of January, 1864.

2. The usual Abstracts of the Accounts of the Receipt and Expenditure for the Year ended 31st December 1863 are now in active preparation, and will be submitted to you in the course of a few days, but, as I am called away for a short period to the neighbouring Colony of British Columbia I now forward the detailed Estimates of Receipt and Expenditure alone, and I have instructed the Colonial Secretary to present such Abstracts to the House so soon as they may be completed which arrangement I trust will be satisfactory to the House and serve to avoid any unnecessary delay in the consideration of the proposed Services for the current Year.

I have the honor to be,
Gentlemen,
Your obedient Servant
(signed) James Douglas
Governor

Mr. Burnaby asked leave to proceed to England for a few Months on urgent private affairs.

Leave granted till [blank].

The House then adjourned till 3 p. m. on Monday.

J. S. Helmcken
Speaker

Tuesday, the 19th day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, De Cosmos, Dennes, Bayley, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Dr. Tolmie, referring to the Resolution adopted by the House on the 11th Jany. (Fortification of Esquimalt) moved "That a Committee of 3 be appointed to draft a Memorial to Her Majesty's Government upon the defenceless State of the Colony."

Adopted.

Committee: Dr. Tolmie, Col. Foster, Mr. Street.

Col. Foster, from Committee on Private Bills, reported that "The Society of Good Templars had not, in their Petition, complied with the Standing Orders of the House."

Mr. Dennes moved for a Writ for the Election of a Member for the City of Victoria, vice Mr. Ridge resigned.

Carried.

Mr. Speaker appointed.

Mr. Dennes to Committee on Private Bills, vice Mr. Ridge.

Mr. Dennes ,, ,, ,, Crown Lands ,, ,, ,,

Dr. Powell ,, ,, ,, Crown Lands

Mr. Duncan ,, ,, ,, Public Accounts, vice Mr. Ridge.

Mr. Speaker gave Notice that On Thursday next (21st Inst.) he would move that "A Supply be granted for the Use of Her Majesty."

Dr. Powell asked leave to lay upon the Table, certain "Amendments to the Bank Note Act 1863."

The House then went into Committee of the whole "To consider the propriety of establishing A Government Assay Office in Victoria" (Mr. Duncan).

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Propriety of establishing a Government Assay Office in Victoria had Resolved "That an humble Address be presented to His Excellency the Governor praying him to take measures to establish An Assay Office under the Supervision of the Government in the City of Victoria."

Ordered That Report be agreed to.

Mr. De Cosmos asked leave to postpone his Motion (M. B. f. 54).⁴⁹

Leave granted.

Ordered for tomorrow.

In Committee of the whole, Mr. Burnaby's Resolution "Ministerial Council."

To be read a first time.

A Bill for the more easy recovery of small debts and demands.

[To be read] a 2nd time.

A Bill entitled an Act entitled An Act for the better Protection of wooden Bridges in Vancouver Island and Dependencies.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker.

⁴⁹ *Ibid.*

Thursday, the 21st day of January, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Duncan, Dennes, De Cosmos, Bayley.

The last Minutes having been read and confirmed.

Mr. Speaker moved that "This House do appoint a Day for going into Committee upon 'A Supply for the Use of Her Majesty.' "

Agreed to.

Mr. Young moved that "Monday next be appointed for this House to resolve itself into a 'Committee of Supply.' "

Seconded by Mr. Dennes and carried nem. con.

Special Order made for Monday next the 25th Inst.

Read a 2nd time and committed.

A Bill To amend an Act entitled "An Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies."

The House then went into Committee of the Whole.

First, upon the Resolution "That a Petition be presented to His Excellency the Governor by this House praying him to appoint a Ministerial Council for initiating and carrying on the public business in the Legislature."

Second, upon A Bill "Entitled An Act for the more easy Recovery of small Debts and Demands in the Colony of Vancouver Island."

Third, A Bill "To amend An Act entitled An Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that "The Committee having had under consideration the foregoing Resolution and Bills begged to report, respectively, as follows"

In regard to the First, (Resolution, "Ministerial Council") A Postponement;

In regard to the Second, (Bill—"Recovery of small Debts" &c.) to report the Bill back to the House;

In regard to the Third, viz.: A Bill "To amend an Act entitled an Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies" that it had passed without Amendments.

The Chairman reported progress and asked leave to sit again.

Ordered That report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Friday, the 22nd day of January, 1864

The House met at 3 p. m. this day, pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, and Messrs. Young, Duncan, De Cosmos, Street, Bayley, Dennes.

The last Minutes having been read and confirmed.

"A Bill To amend An Act entitled An Act for the Protection of the Wooden Bridges in Vancouver Island and its Dependencies" was read A Third Time.

"A Bill Entitled An Act for the more easy recovery of small debts and demands in the Colony of Vancouver Island" (reported from Committee) was read A First [time].

The House then went into Committee of the whole upon A Bill entitled "An Act to prevent the unauthorised Issue of Bank Notes and Paper Currency."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Bill before it begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

Mr. Young gave Notice of Motion for Wednesday (27th Inst.) (M. B. f. 55).⁵⁰

The House then adjourned till 3 p. m. on Monday.

J. S. Helmcken
Speaker.

Monday, the 25th day of January, 1864

The House met at 3 p. m. this day pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, De Cosmos, Duncan, Bayley, and Dr. Powell.

The last Minutes having been read and confirmed.

The House went into Committee of the whole, upon the Resolution (R. Jany. 21st) "That Monday next" (this day) "be appointed for the House to go into Committee of Supply."

Mr. Speaker left the Chair.

Mr. Street in the Chair of the Committee.

Mr. Speaker resumed the Chair.

⁵⁰ Motion Book, p. 55: "I give notice that on Wednesday next the 27th Inst. I will ask the permission of this House to introduce a Bill entitled An Act to provide for the periodical publication of the liabilities and Assets of Banks in Vancouvers Island & its Dependencies and for the Registration of the names of the Proprietors thereof."

The Chairman reported that the Committee had agreed that a Supply be granted, and that they had elected him (Mr. Street) to be, "Chairman of the Committee of Ways and Means."

Ordered That Report be received.

The Honble. The Colonial Secretary In compliance with instructions communicated to the House in His Excellency's letter, dated 13th Jany. 1864, laid upon the Table the following Abstracts of Accounts of Receipts and Expenditures for the Year ended 31st Decr. 1863, viz.:

Vancouver Island

Comparative Statement of Estimated Revenue and Revenue received.

Comparative Statement of Revenue and Expenditure as voted, and actual Expenditure for The Year ending 31st Decr. 1863.

- Also 1 Statement of Revenue and Expenditure in the Department of the Harbour Master during Year 1863—showing also a comparison with the transactions of the Year 1862.
- 2 Comparative Return of Imports in the Port of Victoria during the Years 1862 and 1863.
- 3 Comparative return of number and tonnage of Vessels of each Nation entered at the Port of Victoria Vancouver Island during the Years 1862 and 1863.
- 4 Statement of Exports from the Port of Victoria, Vancouver Island during the 6 Months ending 31st Decr. 1863.
- 5 The Number, Tonnage, and Crews of Vessels of each Nation entered at the Port of Victoria, Vancouver Island during the six months' ending 31st Decr. 1863.

- Also 1 Returns of Transactions in the Land Registry Office during the year 1863.
- 2 Return of Fees for the Years 1862 and 1863.
- 3 Return of the Value of Property registered.

Also Returns of Transactions in the Department of Lands and Works, viz.:

- A Abstract of Road Expenditure for 1863.
- B Amounts paid in 1863 on Contracts entered into in 1862.
- C Showing Number of Preemptors and quantity of Land preempted in each District during the Year 1863.
- D Amounts received in 1863 for Lands recorded under the Land Proclamation Act of 1861 and 1862.
- E Showing the Population Stock and Agricultural Improvements in the 5 Cowichan Districts to 1st Novr. 1863.
- F Showing the Population Stock and Agricultural Improvements in the Comox District to Decr. 1st 1863.

Also Statement of Instalments due on Lands sold prior to Land Proclamation Acts of 1861, 1862.

Mr. Speaker laid upon the Table a series of Resolutions in the matter of the Ministerial Council.

Ordered for tomorrow.

In Committee "Bank Notice Act, 1863."

„ „ Resolution "Ministerial Council."

The House then adjourned till 3. p. m. tomorrow.

J. S. Helmcken

Tuesday, the 26th day of January, 1864

The House met this day at 3 p.m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, and Drs. Tolmie, Trimble, Powell.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the Whole upon a Bill Entitled "An Act to prevent the unauthorised Issue of Bank Notes and Paper Currency."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered for tomorrow "Committee of Supply."

The House then adjourned till 3 p. m. tomorrow.

Monday, the 1st day of February, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, Bayley, Franklin, Drs. Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Selim Franklin the Member Elect for the City of Victoria, vice Mr. Ridge resigned, took the Oaths and his Seat.

Notice of Motion for Thursday Feby. 4th Mr. De Cosmos (see M. B. fol. [blank]).⁵¹

Mr. Young, pursuant to Notice, asked leave to bring in a Bill entitled "An Act to provide for the periodical publication of the Liabilities and assets of Banks in Vancouver's Island and its Dependencies and for the Registration of the Names of the Proprietors thereof."

Leave granted.

Notice of Motion for Tuesday Feby. 2nd Mr. De Cosmos (see M. B. fol. [blank]).⁵²

Mr. Young asked leave to lay upon the Table "Abstracts of Revenue, &c. for the Year 1863."

Order of the Day.

The House then went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again, also that the Committee had elected him (Mr. Franklin) to be Chairman of Ways and Means vice Mr. Street who had resigned the Chairmanship of that Committee.

Ordered That Report be received and leave granted.

Ordered for tomorrow.

In Committee "Bank Note Act 1863."

„ „ Resolution "Ministerial Council."

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 2nd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, De Cosmos, Street, Bayley, Dennes, and Drs. Trimble, Tolmie.

The last Minutes having been read and confirmed.

Mr. De Cosmos, pursuant to Notice, moved "That the House fix a day to go into Committee of the whole on the Fisheries of the Colony."

Ordered for Thursday the 11th Inst.

⁵¹ Motion Book, p. 55: "On Thursday Feby. 4th 1864 I will move that the House go into Comtee. of the Whole with the object of framing An Address to His Excy. the Governor praying him to pension the present Chief Justice of the Supreme Court of this Colony and to recommend to Her Majesty's principal Secretary of State for the Colonies to send out from England a good common-law Barrister of not less than 12 or 15 years practice to be Chief Justice of this Colony."

⁵² Motion Book, p. 55: "On Tuesday Feby. 2nd 1864 I will move that the House fix a day to go into Committee of the Whole on the Fisheries of the Colony."

The House then went into Committee of the whole upon "A Bill entitled 'An Act to prevent the unauthorized Issue of Bank Notes and Paper Currency.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had made amendments thereto and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Young moved First Reading of "A Bill 'Entitled An Act for the periodical publication of the liabilities and Assets of Banks in Vancouver's Island and its Dependencies and for the Registration of the Names of the Proprietors thereof.'"

Mr. Street seconded.

The Bill was then read a 1st time, and Ordered to be printed.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

Wednesday, the 3rd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Bayley, Street, Dennes, Franklin, Duncan, De Cosmos, Tolmie, and Col. Foster.

The last Minutes having been read and confirmed.

The House took up, and agreed to, the Report of the Committee upon "A Bill entitled 'An Act to prevent the Unauthorised Issue of Bank Notes and Paper Currency.'"

Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the chair.

Mr. Franklin in the chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported progress and asked leave to sit again.

Ordered for tomorrow.

In Committee—Resolution "Ministerial Council."

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Monday, the 8th day of February, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, De Cosmos, Powell, Duncan, Bayley, Dennes, and Col. Foster.

The last Minutes having been read and confirmed.

The House went into "Committee of Supply."

Mr. Franklin moved that His Grace The Duke of Newcastle's Despatches be laid before the Committee.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had adopted certain Resolutions "in Supply" relative to His Grace the Duke of Newcastles Despatches.

Ordered That Report be adopted.

Ordered for tomorrow.

2nd Reading "A Bill For the more easy Recovery of Small Debts & Demands."

In Committee of the Whole.

Resolution—"Ministerial Council."

„ —"Pension of Chief Justice."

Mr. Franklin gave Notice of Motion for tomorrow (M. B. f. [blank]).⁵³

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

Tuesday, the 9th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Duncan, De Cosmos, Franklin, Young, Powell, Dennes.

The last Minutes having been read and confirmed.

Mr. Franklin, pursuant to notice, moved that following clause be added to the Resolutions passed yesterday in Committee of the whole.

Be it resolved that "Nothing in these Resolutions contained is intended to imply that this House desires a Legislative Union with British Columbia; or

⁵³ Motion Book, p. 57: "That the following clause be added to the Resolutions passed yesterday in Committee of the Whole.

"Be it resolved that nothing in these resolutions contained is intended to imply that this House desires a legislative Union with British Columbia; or, that it relinquishes its rightful control over the taxation and supply of this Colony, or that it will consent to any interference with its Free-trade policy."

that it relinquishes its rightful control over the taxation and Supply of this Colony or that it will consent to any interference with its Free-trade Policy."

The Resolution was not seconded.

The House then took up the Report of the Committee of Supply made, yesterday, by the Chairman of Ways and Means.

Mr. De Cosmos moved a Resolution "that Paragraph No. 7 of the Resolutions adopted in the Report be recommitted" commencing "The House would therefore pray that Your Excellency will urge upon Her Majesty's Advisers" &c. Mr. Franklin seconded.

The House then divided.

For the Resolution

Ayes: 2.

Messrs. De Cosmos
Franklin

Against the Resolution

Noes: 4.

Messrs. Dennes
Duncan
Powell
Young

The Resolution was therefore lost.

The Report of the Committee was then put, and Ordered to be adopted.

Mr. Dennes moved the Second Reading of A Bill Entitled An Act for the more easy Recovery of small Debts and Demands.

Seconded by Mr. Duncan.

The Bill was then read a 2nd Time and committed.

Read a 3rd Time and passed "A Bill Entitled An Act to prevent the Unauthorised Issue of Bank Notes and Paper Currency."

Mr. De Cosmos moved that the Resolution for the "Pension of the present Chief Justice" be referred to the "Committee of Supply."

Seconded by Mr. Duncan, and agreed to.

The House then went into Committee of the Whole upon a Resolution "praying His Excellency the Governor to appoint a Ministerial Council for initiating and carrying on the Public Business in the Legislature."

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Resolution had agreed to the following address thereupon.

To His Excellency Sir James Douglas, K. C. B. Governor of Vancouver Island &c. &c. &c.

We the Loyal and faithful Subjects of Her Majesty, the Members of the Legislative Assembly of Vancouver Island in Parliament assembled humbly beg to represent to Your Excellency.

That there does not exist any connecting medium either between the Executive and the Legislature or between the Legislative Council and Assembly and that owing to this isolated condition of the various parts of the Government the views and opinions severally entertained by each are mutually unknown; misunderstanding is engendered, fostered and encouraged; much inconvenience as well in the passing of

Bills as other matters, experienced; public business delayed; and a responsibility as unnecessary as unusual thrust upon Her Majesty's representative.

The House is humbly of opinion that this unsatisfactory condition requires to be and may be remedied by the Appointment of a Member of the Legislature to represent the Government and that in order to unite its now isolated parts and to induce consentaneous Action The House would respectfully suggest that the person appointed, if selected from the Legislative Assembly should choose two Members from the same body and two from the Legislative Council, and that they should constitute a Ministerial Council.

In the event, however, of the person selected being a Member of the Legislative Council he should choose three Members from the Assembly and one only from the Legislative Council.

The duty of such Council shall be to represent the necessities of the Country and advise with Her Majesty's Representative (and when necessary or advisable, with the Executive Council) in order to devise such measures as may be deemed expedient to meet the same; introduce and explain them and assist and urge their passage through both branches of the Legislature.

The house is of opinion that the Members of such Council should not receive any Salary nor be Members of the Executive Council but deems it expedient constitutional and necessary that, in the event of their not being able to carry out their general policy, they should tender their Resignation, and, if accepted, that a new Council be formed after the manner hereinbefore suggested, or the usual alternative adopted.

The House believes that such a Council would not only render great assistance to and relieve of much unnecessary responsibility, Her Majesty's Representative, but would also bring into harmonious working the various but now unconnected Branches of Government and conduce to the welfare and progress of the Colony.

The House therefore humbly prays that it may please Your Excellency to appoint a Member of the Legislature to represent the Government directing him to adopt the suggestions hereinbefore most respectfully but earnestly recommended and as soon as possible to effect them into effect.

Ordered that Report be received.

Mr. Speaker read a Communication from the Council enclosing "A Bill Entitled An Act to establish Pilots for the Port of Victoria and for other purposes relating thereto" with Amendments attached.

Which Bill (as amended) was Read a 1st time pro formâ.

Ordered for Thursday next (11th Feby. 1864).

In Committee "A Bill Entitled An Act for the more easy Recovery of small Debts and Demands."

Also "A Resolution Upon the Fisheries of the Colony."

Report of Committee of Supply (yesterday).

To His Excellency Sir James Douglas, K. C. B. Governor of Vancouver Island &c. &c. &c.

The Legislative Assembly having had under consideration that part of the Despatch of Her Majesty's Principal Secretary of State for the Colonies (dated 15th June 1863) wherein a proposition is made to the effect that as soon as the Legislature of Vancouver Island shall have provided by permanent Act a civil List amounting in all to £5,800—(which His Grace considers the prospects of the Revenue appear to render no more than fitting) His Grace will be prepared to hold the Crown Revenue of Vancouver Island at the disposal of the Legislature and to place the Colony under a Governor distinct from British Columbia; Begs leave most respectfully to observe that The annual Revenue of Vancouver Island including that received from the sale of Crown Lands amounted in the Year 1863 to about £35,000—the estimated population being about 7500 persons exclusive of Indians.

That the ordinary expenses of the Government are not less than £27,000 per annum—thus leaving a very small sum for the great necessity of the Colony, viz.: internal improvements.

That the sum received from the sale of Crown Lands during the year 1863 amounted to £4,500, much of this arising from the payment of Instalments upon Land sold some years ago at £1. per acre.

That as well on account of the price of land having been reduced to four shillings per Acre, as also of the amount of available land being comparatively small, there is reason to believe that the Revenue from this source will, in future years, be less whilst a considerable sum will be requisite for the extinction of the Indian Title to and the surveying of Crown Lands and as a Government Residence for Her Majesty's Representative does not exist a still further outlay will be needed for the erection of such an Edifice.

This House is therefore of opinion that neither the Crown Revenue nor the condition of the general Revenues would justify the acceptance of the proposition of Her Majesty's Principal Secretary of State for the Colonies to provide a Civil List amounting to £5,800.

The House is further of opinion That the absolute separation of the Colonies of Vancouver Island and British Columbia could not be otherwise than injurious to both and render their Union hereafter impracticable. Although, chiefly on account of the opposite commercial policies pursued and deemed necessary by each the amalgamation of the Colonies at the present time is deemed inadvisable if not impossible, still this House is of opinion that an intimate necessary and advantageous connexion may be practically obtained by there being, as far as possible, but one civil Establishment for the two Colonies.

The House would therefore respectfully pray that Your Excellency will urge upon Her Majesty's Government the advisability of there being but one Civil Establishment, as far as practicable, for both Colonies, and to state that the Legislature of Vancouver Island will be prepared to provide a Sum by way of Salary for those officers who serve both Colonies equal to one third of the Salary now voted by British Columbia.

The House further prays that Your Excellency will be pleased to transmit at the first opportunity a Copy of the above to His Grace the Duke of Newcastle acquainting his Grace that the House will be prepared to vote the sums mentioned and secure the initiation of all money votes to the Vancouver Island Government—Provided always that the Crown Revenues be placed at the disposal of the Legislature.

The House then adjourned till tomorrow.

Wednesday, the 10th day of February, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Franklin, Bayley, Street, Dennes, De Cosmos, Duncan, Powell.

The last Minutes having been read and confirmed.

The House took up the Report of the Committee of the whole upon A Resolution That A Petition be presented to His Excellency the Governor praying him to appoint A Ministerial Council for initiating and carrying on the public business in the Legislature.

Ordered that Report be adopted.

Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again; also that a Resolution had been adopted by the Committee "That An Address be presented to His Excellency the Governor praying that the collection of the Harbour dues under the Harbour Act be transacted by the Treasurer And that the Treasury Office be transferred to the buildings on what is called the Post Office Lot Government Street Victoria."

Ordered that Report be received and leave granted.

Ordered for tomorrow.

The Consideration of the Report and Resolutions in Committee of Supply (this day).

In Committee of the whole.

Resolution "That the House go into Committee of the whole On the Fisheries of the Colony."

"A Bill Entitled An Act for the more easy recovery of Small Debts and Demands."

A Bill Entitled "An Act to grant Jurisdiction to Justices of the Peace in Civil Cases."

The House then adjourned till 3 p. m. tomorrow.

Thursday, the 11th day of February, 1864

The House met this day at 3 p. m. pursuant to Adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Messrs. Young, Street, Carswell, De Cosmos, Duncan, Dennes, Bayley, and Col. Foster.

The last minutes having been read and confirmed.

Orders of the Day.

The House took under consideration The Report of the Committee of Supply "That an Address be presented to His Excellency the Governor praying that the collection of the Harbour dues under the Harbour Act be transacted by the Treasurer And that the Treasury Office be transferred to the Buildings on what is called the Post Office Lot Government Street Victoria."

Mr. De Cosmos moved That the Report of the Committee on the above Resolution be recommitted.

Agreed to.

Orders of the Day.

The House then went into Committee of the Whole upon a Resolution "That the House go into Committee of the Whole upon the Fisheries of the Colony."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Resolution had adopted the following Resolutions therein.

Whereas this Committee is deeply impressed with the importance of the speedy development of the Fisheries existing in and around the shores of this Colony or contiguous thereto as a means to promote the settlement of the unoccupied parts of the Coast and to provide additional employment for labor and capital in increasing our Merchant marine and adding to our Exports in Fish and Fish Oils.

And Whereas this Committee is fully persuaded that there is very little accurate information to be had with respect to the kinds of merchantable Fish in the Waters around our Shores or in respect to the Seasons at which the different kinds of Fish visit our Shores or the Banks or Fishing-Grounds contiguous thereto or the best Season of the Year to take fish for mercantile purposes, or the kind of bait or mode required to be successful in taking them.

And whereas this Committee considers that the lack of such information tends to retard the development of the Fisheries of this Colony.

Be it therefore resolved

That this Committee is of opinion that it is desirable that an Expedition be sent out by the Government, this Year, to collect information on the following heads.

1 The kinds of fish useful for home consumption or exportation, in and around the Shores of this Colony or contiguous thereto.

2 The kinds of fish from which Oils may be taken.

3 The localities or fishing grounds where the different kinds of fish may be taken.

4 The Seasons at which it is desirable or necessary that fish may be taken for mercantile purposes.

5 The kind of bait adapted to the different kinds of fish.

6 Or where and with what fish nets may be used instead of bait.

7 Any further information of a practical character tending to develop the fisheries of this Colony or those fisheries in British Waters contiguous thereto.

Resolved that the foregoing Resolution be communicated to His Excellency the Governor with the request that he may take measures to send out such an Expedition for the purposes therein described.

And that the Committee recommend that \$2500.00 be granted for the purpose.

Ordered That Report be received.

In Committee.

Mr. Dennes asked leave to postpone the consideration In Committee of the Whole of "A Bill Entitled 'An Act for the more easy recovery of small Debts and Demands.' "

Leave granted.

Adjourned Debate (*Referred* 12th Jany.).

House in Committee of the whole to consider "Certain documents received from His Excellency the Governor in connexion with Steam Communication with Panama."

Mr. Bayley in the Chair of the Committee.

The Chairman reported that the Committee having had under consideration the above mentioned Subject had come to the following Resolution.

"That this House considers direct Steam Communication with Panama to be of the utmost importance, but is of opinion that the financial condition of the Colony will not admit, at present, of the payment of the required Subsidy."

Ordered That Report be adopted.

Speaker.

Friday, the 12th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Powell, Tolmie, Messrs. Carswell, Jackson, Bayley, Young, Duncan, Street, De Cosmos, Franklin, and Col. Foster.

The last Minutes having been read and confirmed.

The House took under consideration the Report of the Committee of the Whole relative to "Certain documents received from His Excellency The Governor in connexion With Steam Communication with Panama."

Agreed to.

Also The Report of the Committee of the Whole upon "The Fisheries of the Colony" with Resolutions.

The House divided.

For the Report

Ayes: 3.

Messrs. Franklin

Powell

De Cosmos

Against the Report

Noes: 5.

Messrs. Foster

Trimble

Duncan

Bayley

Carswell

The Report was therefore negatived.

Dr. Trimble gave notice of Motion for Tuesday next (M. B. fol. 57).⁵⁴

Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had had under consideration, and rejected, Certain Resolutions "praying that the Harbour dues under the

⁵⁴ Motion Book, p. 57: "I move that the Resolutions adopted by this House respecting the Despatch of His Grace the Duke of Newcastle, referring to the Civil List, not be forwarded to his Grace, by His Excellency the Governor until further discussion shall have taken place upon the subject."

Harbour Act be transacted by the Treasurer” and “that the Treasury office be transferred to the Buildings on what is called the Post Office Lot Government Street, Victoria,” which were reported from Committee on Supply (10th Inst.) and recommitted by the House on the 11th Inst.

The Chairman further reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Tolmie, from the Select Committee appointed to draw up a Memorial to Her Majesty’s Government upon the “defenceless State of the Colonies” reported that the Committee had framed an address thereupon to His Grace the Duke of Newcastle.

J. S. Helmcken
Speaker

Monday, the 15th day of February, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Franklin, Street, Bayley, Carswell, Jackson, Young, Duncan, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last minutes having been read and confirmed.

Mr. Speaker said that on Thursday (18th Inst.) he would bring up “The Amendments to ‘Pilot Bill.’ ”

Order of the Day.

The House went into “Committee of Supply.”

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the “Committee of Supply” had, therein, adopted the following Resolutions.

That this House humbly prays His Excellency the Governor to represent to His Grace the Duke of Newcastle the necessity of appointing a Common-law Barrister of at least 10 year’s practice in the United Kingdom (not being or having been a member of the Judiciary or Bar of this Colony or of British Columbia) to the Chief Justice-ship of this Colony.

And That this House is prepared to vote the Sum of Five Hundred Pounds as an annual retiring pension to the present Chief Justice.

The Chairman further reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Street gave Notice of Motion (M. B. fol. 57).⁵⁵

⁵⁵ Motion Book, p. 57: “That the following returns relating to the Coroners Office be laid on the table of this House, viz.: the amount of fees paid to the Coroner during the year 1863—and the fee paid in each case. Also, the amount paid to witnesses on Coroners Juries for the year 1863. Also, return of all sums paid to the Coroner or to his order or in any way connected with the Coroners office during the same period.”

Mr. Speaker then read a Clause which had been added to the Address framed by the Select Committee appointed to draw up a Memorial to Her Majesty's Government upon the "defenceless State of the Colony," as follows.

And your memorialists earnestly pray that Your Grace may be pleased to take such Steps in the matter as may afford this Colony the much required protection.

Ordered for tomorrow.

In Committee.

"A Bill entitled 'An Act for the more easy recovery of small debts and demands' " also

"A Bill entitled 'An Act to grant jurisdiction to J. P.'s in civil cases.' "

Ordered for Thursday next (18th Inst.).

2nd Reading "A Bill entitled An Act for the periodical publication of the liabilities and Assets of Banks in Victoria V. I." &c.

The House then adjourned till 3 p. m. tomorrow.

Tuesday, the 16th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, Bayley, and Drs. Powell, Tolmie.

The last Minutes having been read and confirmed.

The House took up the Report (yesterday's) of the "Committee of Supply."

Agreed to.

Mr. Speaker then read the following address reported by the Chairman of the Select Committee appointed to draw up a Memorial to His Grace the Duke of Newcastle upon "The defenceless State of the Colony."

To the Right Honble. His Grace The Duke of Newcastle, K. G.,

Her Majesty's Principal Secretary of State for the Colonies

We her Majesty's loyal and faithful Subjects the Members of the Legislative Assembly of Vancouver Island in Parliament assembled desire respectfully and earnestly to bring to the Notice of Your Grace the present defenceless condition of the Harbours of Victoria and Esquimalt, where, in the event of sudden hostilities, the Government and private property, and even Her Majesty's Ships of War on this Station might be destroyed by an Iron-clad, in defiance of all that could be effected from land to impede the advent of such a Vessel.

The portion of Her Majesty's Pacific Squadron heretofore cruising in these Waters has well sufficed to protect the Settlements from the evils incident to Indian wars; and for this Your Memorialists are deeply grateful.

In consequence however of the growing and of the great prospective importance of this and the Sister Colony of British Columbia and of the present threatening aspect of affairs in various parts of the world Your Memorialists feel it to be their duty to lay before Your Grace the pressing need of further protection by the mother Country in the shape of suitable defences for such vital points as the Harbours of Victoria and Esquimalt which in time of War would be the principal base of operations for the naval and military forces of the Empire in this part of the North Pacific.

Such defences might, while peace continues, be manned by a few Artillery-men and Marines directed to train the Volunteer Corps which the dutiful Subjects of Her Majesty in this Colony would at once embody, when assured that the Imperial Government was prepared to do its part for the defence of this isolated portion of the British dominions.

The raising of Volunteer Companies, without the previous existence of one or more fortified places as a rallying point for these bodies would, Your Memorialists believe, be a futile undertaking.

Your Memorialists would further represent that this Colony has by onerous taxation, in a form eminently favorable to British Interests, supported its own Government for three Years past, provided for Harbour improvement, the extension of Roads, and also for the many Charities of Victoria.

In conclusion Your Memorialists feel that they have strong grounds for their present application as well in reference to the past career of this Colony and its isolated and defenceless condition as to the solicitude invariably shown by the Imperial Government for the protection of its most distant dependencies.

And Your Memorialists earnestly pray that Your Grace may be pleased to take such Steps in the matter as may afford this Colony the much required Protection.

Report agreed to.

Mr. Street withdrew his Notice of Motion (M. B. fol. 57).⁵⁶

Order of the day.

In Committee of the whole "A Bill Entitled An Act for the more easy recovery of small debts and demands in the Colony of Vancouver Island."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 17th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Messrs. Duncan, Dennes, Jackson, Street, Young, Franklin, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

⁵⁶ *Ibid.*

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That report be received and leave granted.

Mr. Bayley gave notice of Motion (M. B. f. [blank]).⁵⁷

Ordered for tomorrow.

Amendments to Pilot Bill.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Thursday, the 18th day of February, 1864

The house met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Trimble, Powell, and Messrs. Dennes, Young, Franklin, Duncan, De Cosmos.

The last minutes having been read and confirmed.

The House took under consideration The Amendments to the Pilot Bill by the Honble. the Legislative Council.

The Amendments of the Honble. the Council were adopted, with exceptions as follows.

Clause 17. Strike out the whole clause.

The House adhered to the original clause.

Clause 20. Strike out the clause.

The House adhered to the original clause.

Clause 21. Line 8. After the word "from" insert in lieu of the remainder of the clause "Sooke Harbour South to Washington Territory (four dollars per foot on vessels spoken or boarded inside of the said line)." The foregoing words within brackets to be erased.

"And outside of a line drawn due South from Race Rocks to Washington Territory and 'three.'" For the word "three" read "four."

"Dollars per foot with the said line from Race Rocks due south as afore-said; and if bound outwards 'three.'" For the word "three" read "four Dollars per foot in which case the Pilot shall take charge of the Vessel until she arrives at a safe Anchorage in Royal Bay."⁵⁸

⁵⁷ Motion Book, p. 59: "I will move that the Map of Beacon Hill Park be laid before this House showing the lines proposed to be fenced in as mentioned in the Estimates on a Vote for \$1000.00."

⁵⁸ The minutes are not entirely clear. For the act as amended see The Victoria Pilot Act, 1864, *A Collection of the Public General Statutes of the Colony of Vancouver Island, 1859, 1860, 1861, 1862 and 1863* (Victoria: Printed at the "Evening Express" Office, 1864-[66?]), II, 321-325, PABC.

Mr. Young moved 2nd Reading of "A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks in Vancouver Island and its Dependencies, and for the Registration of the names of the Proprietors thereof."

Seconded by Mr. Duncan.

The Bill was then read a 2nd time and committed.

The House then adjourned till 3 p. m. tomorrow.

Friday, the 19th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Bayley, Carswell, Dennes, Franklin, Street, De Cosmos, Jackson, Col. Foster, and Drs. Tolmie, Powell, Trimble.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned.

Speaker

Monday, the 22nd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Carswell, De Cosmos, Bayley, Dennes, Franklin, Street, Jackson, Drs. Tolmie, Trimble, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Speaker then read the following Communication from His Excellency the Governor.

Vancouver's Island
Victoria 22nd Feby. 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly.
Gentlemen,

I beg to enclose to you for deposit in the House of Assembly a Map of Vancouver's Island showing the line of demarcation between this Colony the Colony of British Columbia and the United States of America.

I have the honor to be,
Gentlemen,
Your obedient Servant
(signed) James Douglas

Notice of Motion, Mr. Street (M. B. fol. 59).⁵⁹

„ „ „ Mr. Young.⁶⁰

Mr. Young asked leave to lay upon the Table a Petition from the Fire Department of the City of Victoria.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 23rd day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Franklin, Powell, Street, Duncan, Dennes, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole upon "A Bill Entitled 'An Act to provide for the periodical publication of the Liabilities and Assets of Banks, in Vancouver Island and its Dependencies, and for the Registration of the names of the Proprietors thereof.'"

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

⁵⁹ Motion Book, p. 59: "I will move that the Speaker be requested to provide such Books as in his judgment may be necessary to the extent of the Sum voted, viz. \$1000.00 for the formation of a library—for the House of Assembly—and that the Books be obtained with the least possible delay."

⁶⁰ Presumably to go into Committee of Supply on Wednesday, 24 February, but neither the Motion Book nor the newspapers make any reference to this notice of motion.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had agreed to the same, with Amendments.

Ordered That Report be agreed to.

Mr. Street, pursuant to notice, moved (M. B. fol. 59) "That the Speaker be requested to provide such Books as in his judgment may be necessary to the extent of the sum voted, viz. \$1000 for the formation of a library, for the House of Assembly, and that the Books be obtained with the least possible delay."

Seconded by Mr. Duncan, and agreed to.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken

Wednesday, the 24th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Jackson, Street, Bayley, Duncan, Dennes, De Cosmos, and Dr. Trimble.

The last minutes having been read and confirmed.

Mr. Young moved First Reading of "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act, 1862."

Mr. Dennes seconded.

Agreed to.

The Bill was then read a first time and Ordered to be printed.

Order of the Day.

The House went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman brought up the report of the Committee of Supply and stated that the Committee had voted Supplies to the amount of Two Hundred and Fifty-seven Thousand, Two Hundred and Seventy-nine Dollars and Fifty cents (\$257,279.⁵⁰/₁₀₀), As follows:

1864—ESTIMATES [CIVIL ESTABLISHMENTS]

Colonial Secretary		
Clerk	[\$]1500.	
Messenger	480.	
Occasional assistance in Copying &c.	500.	
Office contingencies	500.	2,980.
Treasurer		
Clerk	1200.	
Office contingencies	720.	1,920.
Auditor		
Auditor	725.	
Clerk	370.	
Contingencies	80.	1,175.

Surveyor General		
Asst. Surveyor General	1700.	
Occasional [assistance in Copying &c.]	500.	
Contingencies	580.	2,780.
Assessor		
Assessor	2,425.	
Assistance for Copying	200.	
Contingencies	206.	2,831.
Harbour Master		
Harbour Master	1,200.	
Clerk	750.	
Boatman	500.	
Office Contingencies	250.	2,700.
Postmaster		
Postmaster	500.	
Clerk	500.	
Occasional Assistance	650.	
Contingencies	175.	1,825.

2ND JUDICIAL [ESTABLISHMENT]

Chief Justice		
Registrar	1,500.	
Clerk of Writs	1,000.	
Contingencies	250.	2,750.
Attorney General		
Clerk	1,000.	
Contingencies	250.	1,250.
Sheriff		
Sheriff	1,000.	
Occasional Assistance	250.	
Contingencies	100.	1,350.
Registrar General		
Registrar General	1,940.	
Advance on Registrar General's Salary	485.	
Contingencies	250.	2,675.
Commissioner of Police		
Commissioner	1,750.	
Superintendent, including allowance for horse-hire	1,500.	
Clerk and Store Keeper	800.	
Two Sergeants at \$1.75 per diem	1,277.50	
Eight Constables at \$1.50 per diem	4,380.	
Cook, at \$1.50 per diem	547.50	
One Sergeant for the Town of Esquimalt at \$2.00 per diem	730.	
Contingencies	100.	
Extra Constables on Emergencies	500.	11,585.
Governor of Gaol.		
Governor of Gaol	500.	
One Gaoler	750.	
One assistance Gaoler	600.	
One Superintendent of Convicts	800.	
Two Convict Guards at \$1.50 per diem	1,095.	
Two Door Guards at \$1.50 per diem	1,095.	
Contingencies	25.	4,865.
Magistrate &c.—Nanaimo		
Magistrate & Harbour Master	1,700.	
Constable	500.	
Contingencies	50.	2,250.

Legislative Council		
Clerk	500.	
Contingencies	100.	600.
House of Assembly		
Clerk	1,700.	
Contingencies	750.	
Occasional Assistance, Expenses of Committees &c.	1,000.	3,450.

ADMINISTRATION OF JUSTICE EXCLUSIVE OF ESTABLISHMENTS

Attorney General.		
Expenses of Prosecutions		1,250.
Sheriff		
Criminal Punishments		500.
Quarter Sessions		
Fees		250.
Coroner		
Fees to Coroner	300.	
Fees to witnesses and others	500.	
Removal and burial of bodies	576.	
Contingencies	230.	1,606.

CHARITABLE ALLOWANCES

Victoria Hospital	2,500.	
Female Hospital	250.	2,750.

POLICE AND GAOLS, EXCLUSIVE OF ESTABLISHMENTS

Police.		
Clothing for Superintendent and 11 men	900.	
Fuel, water and light	772.	
Bedding	75.	
Transport	350.	
Ammunition & Repair of Arms	50.	
Building and Repairs	300.	
Incidental Expenses	350.	2,797.
Gaols		
Expense of keeping 50 Prisoners	3,650.	
Clothing for Superintendent of Convicts and 4 Guards	375.	
Clothing for Prisoners	300.	
Fuel and Light	315.	
Medicine & Medical Attendance	650.	
Tools and Implements	800.	
Bedding & other necessities	300.	
Ammunition and Arms	50.	
Incidental Expenses	250.	6,690.
Rent		
Rent of Harbour Master's Office	330.	
Rent of Post Office	330.	
Rent of Gaol &c. Nanaimo	100.	760.

EDUCATION, EXCLUSIVE OF ESTABLISHMENTS

Victoria District	1,000.	
Craigflower	1,000.	
Nanaimo	1,000.	
Esquimalt	500.	
Cedar Hill	500.	
Saanich	500.	
Lake	500.	5,000.

CONVEYANCE OF MAILS

To New Westminster, Brit. Columbia	1,000.	
To and from Esquimalt	300.	
To and from Nanaimo, Cowichan &c.	1,500.	
To and from San Francisco	9,000.	11,800.

WORKS AND BUILDINGS

Surveyor General

Improvement of Victoria Harbour

Salaries, (including premiums)

Two Engineers,

Nine months at \$120.00 each 2,160.

Four Stokers,

Nine months at \$75.00 each 2,700.

Master of Screw Tug,

nine months at \$120.00 1,080.

Crew (two men)

nine months at \$50.00 each 900.

Cost of Steam Dredge and Steam Machinery 29,100.

Hull of Dredging Machine and tug-boat,

scows, barges, coal and working expenses 30,000. 65,940.

Painting exterior of all the Government Buildings,

except the new Court House 1,500.

Erection of Powder Magazine unexpended 1863 3,638.

Fencing part of Government Square to keep Carts on Road 500.

Repairs to Government Buildings 2,000. 7,638.

Harbour Master

Painting and repairing Buoys 500.

Speaker, House of Assembly

Furniture and fittings for House of Assembly 1,000.

Roads, Streets and Bridges

Burnside Road Deviation and Burnside Road round

Head of Inlet 4,000.

West Saanich Road from Victoria to Thompson's 10,000.

West Saanich Road from Thompson's running North of Mount Newton 5000.

West Saanich Road, cross road at Thompson's and

Two bridges 700.

East Saanich Road and North of Mount Newton 2,000.

Shawnigan to Cowichan 3,000.

Quamichan Road Deviation and building three Bridges 1,500.

Comox Road, Cowichan to Comox, amount necessary to complete existing Contract 5,000.

Esquimalt Road 2,500.

Metchosin Road 8,000.

Metchosin Road, branch to Gold Stream 1,000.

Cedar Hill Road, via Cook Street 6,000.

To connect Beacon Hill Park with Foul Bay Road by way of Clover Point 1,000.

To connect Beacon Hill Park with City of Victoria by way of Point Ogden 1,500. 51,200.

MISCELLANEOUS

Sheriff, Copying List of Voters 150.

House of Assembly, Formation of Library, revote unexpended in 1863 1,000.

Colonial Secretary, Printing including Acts of Legislature 4,000.

Cowichan Resurvey of 75 miles at \$5.50 pr. mile by present Land Recorder	412.50	
Occasional Employment of a Surveyor to assist Settlers in taking up land	250.	
Explorations and Surveys and assisting Explorers	2,500.	
Land Recorder at Cowichan at \$50.00 pr. month	600.	
Indian Claims—payment for lands at Chemainis, Cowichan &c. unexpended in 1863	9,700	
Immigration—to aid immigration and to assist in the maintenance of an Office to give information to Immigrants	3,000	
Indian Services	500	
Revising List of Voters and expenses connected therewith	400	
For cleaning and preservation of Small Arms the property of the Colony	100	
		22,612.50

ANNUAL INTEREST ON ROAD AND HARBOUR LOAN—1862.

Interest at the rate of Six per centum per annum on £40,000	£2,400 or	11,640.
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SINKING FUND—ROAD AND HARBOUR LOAN 1862.

Five per cent of Loan (half-yearly) less Interest at the rate of £6 per centum per annum on £40,000	£1,600 or	7,760.
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LIGHT HOUSES DETAILED

Salaries		
Two Commissioners	970	
Keeper and assistants of Race Rocks Light	1794.50	
Keeper and Assistant Keeper of Fisgard Light	727.50	
Office Contingencies	50	
Stores	1,000	
Works and Buildings	1,458	
Provisions	1,000	7,000.

REVENUE SERVICE DETAILED

Expenses connected with the Assessment of Real Estate, Printing &c.	1,000	
Expenses connected with the Assessment of Trades and Professions	600	1,600.
		257,279.50

Mr. Young moved that the House go into Committee of the whole upon "Ways and Means" on Friday (26th Inst.).

The House then adjourned till Friday next.

Friday, the 26th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Trimble, Tolmie, and Messrs. Street, Dennes, Young, De Cosmos, Duncan, Bayley, Franklin.

The last Minutes having been read and confirmed.

The House took up the Report of the Committee of Supply.

Bill read a 3rd time and passed.

A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks in Vancouver Island and its Dependencies and for the Registration of the names of the Proprietors thereof.

Mr. Speaker then read a letter from the Honble. The Council, giving cover to the Pilot Bill with amendments (as follow) to the Amendments transmitted by the Legislative Assembly to the Honble. The Legislative Council on the 22nd Inst.

The Council adheres to the Amendment by way of erasure of Section Twenty but is willing to reintroduce Section Seventeen with the following Amendments;

1. Before the words "A master requiring" insert the word "if."
2. Strike out the word "requiring" and insert "require."
3. Between the words "A" and "Pilot" add the word "licensed."
4. In the 3rd line of the Clause between the words "Victoria" and "shall" insert the word "he."

Agreed to.

Mr. Franklin gave notice of Motion (*see* M. B. fol. 59).⁶¹

The House then went into Committee of Ways and Means.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee of Ways and Means had resolved that the sum of Two Hundred and Fifty Seven Thousand, two hundred and Seventy nine dollars and fifty cents (\$257,279.50) be appropriated out of the general Revenues to meet the Supplies for the Service of the Year 1864.

J. S. Helmcken
Speaker

Monday, the 29th day of February, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Dennes, Carswell, De Cosmos, Franklin, Bayley, Duncan, Street, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

Vancouver's Island
Victoria, Feby. 29th 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

Having forwarded to the Chief Justice a Copy of the Resolution of the Legislative Assembly dated the 15th Inst. for the purpose of ascertaining his views in respect of the arrangement for his retirement from office which that Resolution suggests, I have the honor to enclose, herewith, Copy of Mr. Cameron's reply, and I beg at the same time to recommend that the Appropriation Act to which he alludes

⁶¹ Motion Book, p. 59: "I give notice that I shall move that a Joint Address be sent by the two Houses of the Legislature of this Colony to Her Most Gracious Majesty, praying that the Island or Islands of Queen Charlotte be made a part of this Colony."

should be passed at an early date, so that I can advise Her Majesty's Principal Secretary of State thereof when transmitting the before mentioned Resolution of the House.

I have the honor to be,
Gentlemen,
Your obedient Servant
(signed) James Douglas
Governor

Mr. Chief Justice Cameron to the Colonial Secretary.

Chambers, Court House
Victoria 27th Feby. 1864

Sir,

I have the honor to acknowledge the receipt of your letter of the 22nd Instant, transmitting to me by direction of the Governor a Copy of a Resolution of the Legislative Assembly of Vancouver Island bearing upon the position which I have now the honor to hold in this Colony, and enquiring what views I may entertain in respect of the arrangement which that Resolution suggests.

In reply I desire that the Legislative Assembly may be informed that I am quite willing to accede to the terms of the Resolution so far as it concerns myself as soon as these terms are embodied in An Act and passed by the Legislature in the usual way.

I have &c. &c.
(signed) David Cameron, C. J.

William A. G. Young, Esqre.
Colonial Secretary

Ordered for tomorrow The Consideration of above Correspondence.

Mr. De Cosmos presented a Petition from Horace W. Carpentier, President, California State Telegraph Company—and, therewith, "A Bill Entitled 'An Act to grant the right to construct a telegraph line connecting Victoria with the Telegraph System of the United States, and for other purposes.'"⁶²

Referred to Committee on Private Bills.

Ordered That Committee on Private Bills act as Committee on Standing Orders.

1st Reading of A Bill "To grant Two hundred and fifty seven thousand Two hundred and Seventy Nine dollars and fifty cents out of the General Revenues for the Service of the Year 1864."

Mr. Franklin pursuant to notice, moved That the House do appoint a day to go into Committee of the whole upon a Motion "That a Joint Address be sent by the two houses of the Legislature of this Colony to Her Most Gracious Majesty, praying that the Island or Islands of Queen Charlotte be made a part of this Colony."

Ordered for tomorrow.

Ordered for Thursday next 2nd Reading of A Bill "To regulate An Act intituled the Victoria Incorporation Act."

J. S. Helmcken
Speaker

⁶² The petition is printed in the *Colonist*, 1 March 1864.

Tuesday, the 1st day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Powell, Street, Bayley, De Cosmos, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Mr. De Cosmos gave notice of Motion for Thursday next the 3rd Inst. (M. B. fol. 59).⁶³

2nd Reading of A Bill To grant Two Hundred and Fifty Seven Thousand, two Hundred and Fifty Nine Dollars and fifty cents, out of the General Revenues, for the Service of the Year 1864.

The Bill was then read a 2nd time and committed.

Order of the Day.

The House went into Committee of the Whole "To take into consideration the Communication received, yesterday, from His Excellency the Governor (with enclosure) in the matter of the 'Chief Justice's Pension.'"

Also upon a Resolution (Mr. Franklin *Referred* 444 [p. 85 above]) "That the House do appoint a day to go into Committee of the Whole upon a Motion that 'A Joint Address be sent by the two Houses of the Legislature of this Colony to Her Most Gracious Majesty, praying that the Island or Islands of Queen Charlotte be made a part of this Colony.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Subjects begged to report, in regard of the 1st, viz.: a Communication from His Excellency the Governor in the matter of the Chief Justice's Pension, Progress; and asked leave to sit again.

In regard of the Second, viz.: the Annexation of the Queen Charlotte's Island to Vancouver Island—A Resolution "That the Committee are not prepared to recommend An Address at the present time."

Ordered That Report be adopted.

J. S. Helmcken
Speaker

⁶³ Motion Book, p. 59: "That on Thursday next I will move an Address to His Excellency the Governor praying that the necessary steps be taken to ensure the Reserve at Mount Douglas being retained for the use of the public for ever."

Wednesday, the 2nd day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Messrs. Young, Street, Dennes, Duncan, De Cosmos, Franklin, Bayley, Jackson, and Col. Foster.

The last Minutes having been read and confirmed.

A Bill Entitled An Act to indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures was read a 2nd time and committed.

Order of the Day.

In Committee of the Whole A Bill To grant Five hundred and fifty seven thousand, two hundred and Seventy Nine Dollars and fifty cents, out of the General Revenues for the Service of the Year 1864.

Also The consideration of the Communication received (on the 29th Ult.) from His Excellency the Governor (with enclosure) in the matter of the Chief Justice's Pension.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing subjects begged to report in regard to the first, viz.: "A Bill To grant Two hundred and fifty seven thousand, two hundred and Seventy Nine dollars and fifty cents out of the General Revenues for the Service of the Year 1864"—the Bill complete without amendments.

In regard to the 2nd, viz.: A Communication from His Excellency the Governor in the matter of the Chief Justice's Pension "A Bill Entitled An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies."

Ordered That Report be adopted.

Bill read a first time.

Chief Justice's Pension Act, 1864.

Notice of Motion, Mr. De Cosmos (M. B. Fol. 61).⁶⁴

„ „ „ Dr. Trimble (M. B. fol. 61).⁶⁵

Col. Foster from Committee on Private Bills, constituted also, a Committee on Standing Orders reported that the Committee recommended that the Standing Orders be waived,

⁶⁴ Motion Book, p. 61: "I will move tomorrow Resolved, That the Standing Orders be suspended in accordance with the Report of Committee on Standing Orders with respect to the application for An Act by the President of the California Telegraph Company."

⁶⁵ Motion Book, p. 61: "I move that on a future day this House go into a Committee of the whole to take into consideration means for paying the expenses of the Light Houses."

1st concerning "Advertisements"

2nd ,, "Estimate of Expenditure"

3rd ,, "Accuracy of plans of Route"

in the matter of A Bill Entitled An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes.

J. S. Helmcken
Speaker

Thursday, the 3rd day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Franklin, Bayley, Dennes, De Cosmos, Carswell, Duncan, and Drs. Trimble, Powell.

The last minutes having been read and confirmed.

Mr. De Cosmos, pursuant to Notice, brought forward An Address [to] be presented to His Excellency the Governor "praying that the necessary Steps be taken to ensure the Reserve at Mount Douglas being retained for the use of the Public for ever."

Seconded by Mr. Bayley and Adopted.

Dr. Trimble, pursuant to Notice, moved that "on a future day this House go into Committee of the whole to take into consideration means for paying the expenses of the Light Houses."

Ordered For Wednesday next.

Mr. Speaker then read the Report (yesterday) by the Chairman of the "Committee on Private Bills and Standing Orders"—in relation to which, Mr. De Cosmos, pursuant to notice, moved A Resolution "That the Standing Orders be suspended in accordance with the Report of Committee on Standing Orders with respect to the application for an Act by the President of the California Telegraph Company."

Seconded by Mr. Duncan and agreed to.

Read a third time and passed "A Bill Entitled An Act to apply the sum of Two hundred and fifty seven thousand, two hundred and seventy nine Dollars and fifty cents out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year One thousand Eight hundred and Sixty four."

Read a Second time and committed.

A Bill Entitled "An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies."

Mr. Young moved the 2nd Reading of a "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act."

Dr. Powell seconded.

Agreed to (Dissentientibus—Dr. Trimble, Mr. Bayley).

The Bill was then Read a 2nd time and committed.

Ordered for Monday the 7th Inst.

The House then went into Committee upon "A Bill Entitled 'An Act to indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures.' "

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without amendments.

Ordered for tomorrow In Committee.

Chief Justice's Pension Act, 1864.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker.

Friday, the 4th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Bayley, Dennes, De Cosmos, Foster, and Drs. Trimble, Tolmie.

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills, constituted a Committee on Standing Orders, reported that the Promoters of A Bill Entitled "An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes"—had complied therein with the Standing Orders, save in the exceptions reported by the Committee on the 2nd Inst. and waived by the House on the 3rd Inst.

The above Bill was then Read a first time and referred to Committee on Private Bills.

The House then went into Committee upon "Chief Justice's Pension Act, 1864."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without amendments.

Ordered That Report be agreed to.

Ordered for Monday (7th Inst.).

In Committee "A Bill To regulate and amend An Act Intituled The Victoria Incorporation Act."

Third Reading of "A Bill Entitled 'An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouver's Island and its Dependencies.' "

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 7th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Dennes, Street, Carswell, De Cosmos, Bayley, and Drs. Trimble, Tolmie, Powell.

The Last Minutes having been read and confirmed.

Order of the Day.

"A Bill Entitled 'An Act to provide for the retirement of David Cameron Chief Justice of the Colony of Vancouvers Island and its Dependencies'" was read a 3rd time and passed.

Also "A Bill Entitled 'An Act to Indemnify the Governor for applying certain moneys to the redemption of Municipal Debentures'" was read a third time and passed.

The House then went into Committee upon "A Bill To regulate 'An Act Intituled The Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Bill begged to report Progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken

Tuesday, the 8th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Dennes, Street, Bayley, De Cosmos, Carswell, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills reported that the Promoters of "A Bill Entitled 'An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes'" had complied with the Standing Orders (except as waived by the House on the 3rd Inst.). The Committee further begged to report the Bill favorably back to the House and to recommend its passage.

Agreed to.

Ordered for tomorrow.

2nd Reading of above Bill.

Order of the Day.

The House then went into Committee upon "A Bill To regulate An Act Intituled The Victoria Incorporation Act 1862."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Powell presented a Petition from John Coe and Thomas Martin, and therewith, "A Bill Entitled 'An Act to enable John Coe and Thomas Martin to introduce Water into the City of Victoria.'"

Referred to Committee on Standing Orders.

Dr. Trimble gave notice of Motion (M. B. fol. 61).⁶⁶

Mr. Young gave notice of Motion (M. B. fol. 61).⁶⁷

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 9th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Bayley, Carswell, Street, Duncan, Dennes, De Cosmos, Franklin, and Dr. Trimble.

The last Minutes having been read and confirmed.

Mr. Dennes presented a Petition from Herman Otto Tiedeman [Tiedemann], in opposition to the Petition of John Coe and Thomas Martin praying for the exclusive right for a term of Years to introduce Water into the City of Victoria.

Referred to Committee on Standing Orders.

Mr. De Cosmos presented a Petition from the "Licensed Victuallers Association" praying The House to take into immediate consideration the desirability of reducing the present high and burthensome rate of License now imposed on Retail Liquor dealers in the City of Victoria.

Order To lie on the table.

⁶⁶ Motion Book, p. 61: "I give notice that tomorrow I will ask leave to bring in a New Bill to incorporate the City of Victoria."

⁶⁷ Motion Book, p. 61: "I give notice that on Thursday next I will ask leave to introduce a Bill, entitled 'An Act for the regulation of Electric Telegraphs within the Colony of Vancouver's Island and to secure Secrecy and fidelity in the transmission of telegraphic messages.'"

Notice of Motion (1) for Monday next, Mr. Duncan (M. B. fol. 63).⁶⁸

„ „ „ (2) „ „ „ Mr. Duncan (M. B. fol. 63 & 65).⁶⁹

Read a 2nd time and committed.

A Bill Entitled “An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes.”

Dr. Trimble, pursuant to Notice, asked leave to bring in “A Bill To incorporate the City of Victoria.”

Mr. Dennes seconded.

Question. “That leave be granted.”

Ayes: 5.

Trimble

Duncan

Bayley

Dennes

Carswell

Noes: 3.

De Cosmos

Young

Franklin

The Resolution was then put, and leave granted.

Order of the Day.

The House then went into Committee of the whole upon “A Bill Entitled ‘An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes.’”

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken

Speaker

⁶⁸ Motion Book, p. 63: “That an address be presented to His Excy. requesting that he would be pleased to cause a return to be laid on the Table of the House of the receipts and expenditure of all moneys Statute labor &c. for road purposes specifying where and how such moneys and statute labour have been expended.”

⁶⁹ Motion Book, pp. 63–65: “That a respectful address be presented to His Excy. Sir James Douglas K. C. B. requesting him to communicate to H. M. Government the extreme and urgent necessity of their being graciously pleased to extend to this Colony the boon granted to the Majority of the other British Colonies of Postal money orders of the value of £1. and upwards.

“And that this Colony have also extended to it the privilege of remitting and receiving by Post Books Pamphlets & other printed matter upon the payment of the usual colonial Postal rates.

“Also that the British Consul at Panama be authorised to remit from that place any letters or news papers from the South American republics to Persons in this Colony—as by the present regulations they are detained at that place because of the non-payment of the American Postage to & from California to this place, as the English Company only receive the Postage to that point where their carriage ceases or that the British Consuls at the various Ports be authorised to receive the through rate of Postage to this place.”

Thursday, the 10th day of March, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Dennes, Foster, Franklin, De Cosmos.

The last minutes having been read and confirmed.

Mr. Young, pursuant to notice, asked leave to bring in "A Bill Entitled 'An Act for the regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of telegraphic Messages.'"

Seconded by Mr. De Cosmos.

Leave granted.

Read a first time and Ordered to be printed, above Bill.

Order of the Day.

The House then went into Committee upon "A Bill Entitled 'An Act to grant the right to construct a Telegraph Line connecting Victoria with the Telegraph System of the United States and for other purposes.'"

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, had made Amendments thereto and agreed to the same.

Ordered That Report be agreed to.

The Standing Orders were then suspended, and "The first Telegraph Act 1864" (above) was Read a 3rd time and passed—as amended.

The House then adjourned till tomorrow.

J. S. Helmcken

Friday, the 11th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Trimble, Powell, and Messrs. Dennes, Young, Street, Bayley, De Cosmos.

The last Minutes having been read and confirmed.

Dr. Trimble proposed that a Committee be appointed to draft an Address to His Excellency the Governor upon His Excellency's retirement from the Government of the Colony.

Seconded by Dr. Tolmie and agreed to.

Ordered that Dr. Trimble and Dr. Tolmie be the Committee to draft said address.

Mr. Speaker then read the following communication from His Excellency the Governor.

Vancouver Island.
Victoria, 11 March 1864

To the Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have had the honor to receive Your Address dated the 5th Instant, requesting that I will take such steps as may be necessary to secure for the use of the Public "The Reserve at Mount Douglas."

In reply thereto I beg to acquaint you that the Reserve in question was originally made by me for the express purpose of providing a place of recreation and amusement for the Inhabitants of Victoria; and that I have since caused it to be marked "Public Park" upon the official Map of the Colony.

I forward herewith to be placed amongst the Records of the Assembly a Map upon which the Limits and Boundaries of this Park are distinctly defined.

I have the honor to be,

Gentlemen,

Your Most obedient Servant,

(signed) James Douglas

Also, A Communication from His Excellency the Governor, enclosing Supplemental Estimate to provide for Works proposed to be undertaken during the Year, 1864.

Vancouver's Island
Victoria 11 March, 1864

To the Honble. The Speaker and Gentlemen of The Legislative Assembly.
Gentlemen

I have the honor to forward to you herewith a Supplemental Estimate of Sums that will be required to carry out certain works on roads proposed to be undertaken during the present year; and also for certain miscellaneous Services not included in the Estimates already submitted to the House.

2. The further expenditure contemplated under the Head of Education is designed to provide for the construction of a new School House with Play Ground, &c. on the School Reserve in Victoria District and to make a small grant towards the Establishment of a School at Cowichan.

3. An additional Sum in aid of the Royal Hospital at Victoria has been placed upon the Estimates at the earnest request of the Committee of Management who represent that this valuable Institution is still in debt to the amount stated.

4. In consequence of the want of Municipal Revenue the Fire Companies have ceased for some months to receive aid from the City. I would therefor submit to you the propriety of enabling the Executive to grant relief to the extent named in the Estimates to meet for the present the requirements of that efficient organisation, upon the understanding, if desirable, that the amount be repaid by the City as soon as sufficient Revenue is collected.

I have the honor to be,

Gentlemen,

Your obedient Servant

(signed) James Douglas

Supplemental Estimate to provide for works proposed to be undertaken during the Year 1864.

For Roads	\$14,000
To be applied as follows.	
Saanich Road	\$5,000.
Sooke Road	2,000.
Metchosin Road	3,000.
From Metchosin to Albert Head	500.
To open Waggon Road to Gold Stream	1000.

McKenzie's to Naval Hospital	1000.
McKenzie's to join Burnside Crossing	
Colquitz river near its mouth	500.
Mount Tolmie Cross Road	600.
Casual repairs	400.
Total	14,000

Education	5,000
Royal Hospital	2,500
Fire Department	2,000
Mail Communication along the Coast	2,000
Miscellaneous Services Refund of Taxes overpaid &c.	500
Total	\$26,000

Referred to Committee of Supply.

Ordered for Wednesday next.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To regulate An Act Intituled The Victoria Incorporation Act 1862."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Dr. Trimble from the Committee appointed to draft an address to His Excellency the Governor upon His Excellency's retirement from the Government of this Colony reported the following address.

To His Excellency Sir James Douglas Knight Commander of the Most Honorable Order of the Bath, Governor of Vancouver Island and its Dependencies.

We, the loyal and faithful Subjects of Her Majesty, the Members of the Legislative Assembly of Vancouver Island and its Dependencies in Parliament assembled desire on the occasion of Your Excellency's retirement from Office most respectfully to express our high appreciation of the great administrative qualities and the uniform urbanity shewn by Your Excellency during the many years you have filled the responsible position of Governor of the Colony.

We consider the great prosperity of this portion of Her Majesty's dominions during the past few years as mainly ascribable to the wise policy which Your Excellency inaugurated, and, knowing how great an interest Your Excellency has taken in the welfare of this Colony, we trust that its continued advancement may be equal to Your Excellency's good wishes in its behalf.

Whilst sincerely regretting your departure we earnestly hope that Your Excellency may long live to enjoy the honors so worthily bestowed upon you by Her Majesty the Queen, and we trust that health and happiness, peace and prosperity may attend you for many many years to come.

Agreed to unanimously.

The House then adjourned till Monday.

Monday, the 14th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Dennes, De Cosmos, Dr. Trimble, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Speaker informed the House that he, Mr. Speaker, Messrs. Young, Franklin, Dennes, Street, Bayley, and Drs. Tolmie, Trimble, Powell, had waited upon His Excellency the Governor on Saturday to present to His Excellency the Address voted by the House on Friday the 11th Inst. and that His Excellency had been pleased to reply graciously thereto.

Dr. Trimble moved that the Governor's Reply be recorded in the minutes of the House.

Mr. Street seconded.

Agreed to.

Mr. Speaker then read His Excellency's Reply.

Mr. Speaker and Gentlemen of the Legislative Assembly.

I thank you for this gratifying mark of your confidence and regard; I also thank you for the Zeal and diligence with which you have on all occasions applied yourselves to the discharge of your public duties, and for your cordial and active co-operation with me in every useful measure connected with the prosperity and well being of the Country—a circumstance to which the Colony is mainly indebted for its present prosperity.

Discord had been the bane of many Countries; you have wisely kept down the evil spirit in this Colony, and I trust it may never mar the mutual harmony and good feeling now existing between the Executive and the Legislature.

It is through wise Councils that countries flourish, and thrive. This Colony has been prosperous; and may justly be proud of the ability and public spirit of its Legislative Assembly.

I do feel, as you have justly observed, a deep interest in the welfare of the Colony; and I sincerely trust that the Blessing of God may ever rest upon your efforts to promote its moral and material interests.

[James Douglas]

Col. Foster, from the Committee on Standing Orders reported that the Standing Orders had been complied with in the matter of "A Bill Entitled An Act to enable John Coe and Thomas Martin to introduce water into the City of Victoria."

Read a first time, Above Bill.

Dr. Trimble moved that, out of respect for His Excellency Sir James Douglas, the House adjourn.

Seconded by Mr. Street and agreed to.

The House then adjourned.

J. S. Helmcken
Speaker

Wednesday, the 16th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Dennes, Franklin, Carswell, De Cosmos, Bayley, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read a Communication from His Excellency the Governor, assenting to certain Bills, as follows.

Vancouver Island
Victoria 12th March, 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly.
Gentlemen,

I have the honor to inform you that the following Bills received my Assent on the days mentioned in the Margin [shown here in parentheses], viz.:

The Provisional Act for the Election of Mayor and Councillors; (30th Oct. 1863).

The Governor's Indemnity Bill, 1864 (11th March, 1864);

The Chief Justice's Pension Bill, 1864 (11th March, 1864);

A Bill To apply the Sum of Two hundred and fifty seven thousand, two hundred and seventy nine Dollars & $\frac{5}{100}$ to the service of the Year, 1864 (11th March, 1864);

And A Bill Entitled the First Telegraph Act, 1864 (12th March, 1864);

And The Victoria Pilot Bill 1864 (12 March, 1864).

I have the honor to be,
Gentlemen,
Your obedient Servant

(signed) James Douglas
Governor.

Dr. Trimble pursuant to notice moved 1st reading of "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862', and to incorporate the City of Victoria."

Seconded by Mr. Dennes.

The Bill was then Read a First time and Ordered to go to a 2nd Reading.
Ordered to be printed.

Dr. Trimble gave notice of Motion (M. B. fol. 65).⁷⁰

Order of the Day.

The House then went into "Committee of Supply"—Supplemental Estimate.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the "Committee of Supply" having taken into consideration the "Supplemental Estimate" had voted a Sum of Twenty Six Thousand dollars therein for Works proposed to be undertaken during the Year, 1864.

⁷⁰ Motion Book, p. 65: "I will move tomorrow that an humble address be presented to His Excellency the Governor for any correspondence that may have taken place relative to the sending home a person to lecture upon the resources of the Colony."

Notice of Motion for tomorrow (M. B. fol. 65) Mr. Franklin.⁷¹

Ordered for Friday next.

2nd Reading "A Bill For the regulation of Electric Telegraphs, &c."

The House then adjourned till tomorrow.

J. S. Helmcken

Thursday, the 17th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs, Franklin, Dennes, De Cosmos, and Drs. Trimble, Powell.

The last minutes having been read and confirmed.

The House took up the report of the Committee of Supply.

Supplemental Estimate For works proposed to be undertaken during the Year 1864.

For Roads \$14,000

To be applied as follows.

Saanich Road.	\$5000.
Sooke Road	2000.
Metchosin Road	3000.
From Metchosin to Albert Head	500.
To open Waggon Road to Gold Stream	1000.
McKenzie's to Naval Hospital	1000.
McKenzies to join Burnside crossing Colquitz River near its mouth	500.
Mount Tolmie Cross Road.	600.
Casual	400.

Total 14,000

Education	5000
Royal Hospital	2500
Fire Department	2000
Mail Communication along the Coast	2000
Miscellaneous Services Refund of Taxes overpaid, &c.	500

\$26,000.

Agreed to.

Dr. Trimble, pursuant to notice moved that "An humble address be presented to His Excellency the Governor for any correspondence that may have taken place relative to the sending home a person to lecture upon the resources of the Colony."

Mr. Franklin seconded.

Agreed to.

⁷¹ Motion Book, p. 65: "I give notice that I shall move tomorrow that an address be voted by this House to be presented to His Excy. Governor Kennedy C. B. upon the occasion of his assuming the Governorship of this Colony."

Mr. Franklin pursuant to notice moved that a Committee be appointed to draft an Address to His Excellency Governor Kennedy C. B. upon the occasion of his assuming the Governorship of this Colony.

Seconded by Mr. Dennes.

Agreed to.

Mr. Speaker appointed Messrs. Franklin, De Cosmos, and Dr. Trimble a Committee to draft said address.

Ordered for tomorrow.

Resolution To Consider the means for paying the expenses of the Light houses.

Petition of Licensed Victuallers' Association.

The house then adjourned till 3 p.m. tomorrow.

J. S. Helmcken
Speaker.

Friday, the 18th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Dennes, De Cosmos, and Drs. Trimble, Tolmie, Powell.

The last minutes having been read and confirmed.

Mr. Young moved the Second reading of "A Bill Entitled 'An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages.'"

Seconded by Mr. Franklin and agreed to.

The Bill was then Read a 2nd time and committed.

The House then went into Committee of the whole, on Ways and Means.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee of Ways and Means, having had under consideration.

First A Supplemental Estimate For Works proposed to be undertaken during the Year 1864.

Second A Petition from the Licensed Victuallers' Association of Victoria praying for the modification and amendment of the Liquor License Act 1861.

Third A Resolution that the House go into Committee of the whole to take into consideration Means for paying the expenses of the Lighthouses.

Begged to report in regard of the

First, Supplemental Estimate, "A Bill To grant the Sum of Twenty Six Thousand Dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year 1864."

Second, in regard of the Petition of the Licensed Victuallers Association "A Bill To modify and amend the Liquor Licence Act, 1861."

Third, in regard of the Resolution concerning The Expenses of the Light-houses to report the Resolution back to the House.

Ordered That Report be agreed to.

Read a first time "A Bill To grant the Sum of Twenty Six Thousand Dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year, 1864."

Ordered for Monday next In Committee.

A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages.

[Ordered] for Tuesday next.

2nd Reading of "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862' and to incorporate the City of Victoria."

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 21st day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Jackson, Dennes, De Cosmos, Bayley, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Order of the Day.

Bill read a 2nd time and committed "A Bill To grant the Sum of Twenty Six Thousand dollars out of the General Revenue to provide for a Supplemental Estimate for works to be undertaken during the Year 1864."

In Committee of the whole.

A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of Telegraph Messages.

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had agreed to the same, as amended.

Ordered That report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 22nd day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Dennes, Street, Carswell, De Cosmos, Bayley, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

Dr. Trimble moved that the 2nd Reading of "A Bill Entitled an act to repeal the 'Victoria Incorporation Act, 1862' and to incorporate the city of Victoria" be postponed till tomorrow.

Seconded by Mr. Street.

Mr. De Cosmos moved An Amendment "That the 2nd Reading of above Bill be postponed for Six Months."

Seconded by Mr. Young.

The House then divided.

For Mr. De Cosmos's Amendment

Ayes: 3.

Messrs. De Cosmos
Young
Bayley

Against the amendment

Noes: 5.

Messrs. Trimble
Tolmie
Street
Franklin
Dennes

The Amendment was therefore lost.

Dr. Trimble's motion was then put and carried.

The House then went into Committee on Ways and Means.

A Bill Entitled An Act to apply the Sum of Twenty Six Thousand Dollars out of the General Revenue of the Colony of Vancouver's Island and its Dependencies to the Service of the Year 1864.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without amendment.

Ordered That Report be adopted.

The House then adjourned till 3 p.m. tomorrow.

Wednesday, the 24th [23rd] day of March, 1864

The House met at 3 p. m. this day pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Dennes, De Cosmos, Duncan, Bayley, Franklin, and Drs. Trimble, Tolmie, Powell.

The last minutes having been read and confirmed.

Order of the Day.

Read a third time and passed "A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island, and to secure secrecy and fidelity in the transmission of Telegraphic Messages."

Also, "A Bill Entitled An Act to apply the Sum of Twenty Six Thousand dollars out of the General Revenue of the Colony of Vancouver's Island and its Dependencies to the service of the Year 1864."

Dr. Trimble asked leave to withdraw "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act 1862' and to incorporate the city of Victoria."

Leave granted.

The House then went into Committee of the whole upon "A Bill To regulate An Act Intituled the 'Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill, begged to report progress therein, and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 25th [24th] day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Franklin, Bayley, Drs. Trimble, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole upon A Bill "To regulate An Act Intituled the 'Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till Wednesday next /30th.

J. S. Helmcken
Speaker

Wednesday, the 30th day of March, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Duncan, Dennes, Bayley, De Cosmos, Franklin, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Franklin from the Select Committee appointed to draft An Address to His Excellency Governor Kennedy, upon the occasion of his assuming The Governorship of this Colony reported the following Address.

To His Excellency Arthur Edward Kennedy Companion of the Most Honorable Order of the Bath Governor and Commander-in-Chief of The Colony of Vancouver's Island and its Dependencies

We Her Majesty's loyal and faithful subjects, the Members of the Legislative Assembly of the Colony of Vancouver's Island and its Dependencies, beg to offer to Your Excellency our respectful congratulations upon the occasion of your assuming the functions of Governor of this Colony.

As it is our duty, so will it be on all occasions our anxious desire to aid you in the administration of the affairs of the Colony, and to co-operate in such legislative measures as may be deemed most conducive to the welfare and progress of our young and rising Colony.

In thus tendering you our Welcome we pray that it may please Almighty God to vouchsafe to you health and happiness, and that under your fostering influence and guidance the Colony may continue to prosper and flourish.

Ordered That Address be adopted.

Order of the Day.

The House then went into Committee of the whole upon A Bill "To regulate An Act entitled 'The Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Friday, the 1st day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Duncan, Carswell, Bayley, Dennes, De Cosmos, Jackson, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole upon "A Bill To regulate an Act Entitled the 'Victoria Incorporation Act, 1862.' "

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete, with amendments.

Ordered That Report be received.

Ordered That above Bill be printed, as amended.

The House then adjourned till 3 p.m. on Monday (3rd) [4th].

J. S. Helmcken
Speaker

Monday, the 4th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Street, Dennes, Powell, Bayley.

The last Minutes having been read and confirmed.

The House took under consideration the report of the Committee (1st April) viz.:
"A Bill To regulate An Act Entitled The Victoria Incorporation Act 1862"
complete with Amendments.

Mr. Young moved that above Bill be recommitted.

Dr. Powell seconded.

Agreed to.

Mr. Speaker then read the following Communications from His Excellency the Governor.

No. 1

Victoria, Vancouver Island
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to transmit for your information the Copy of a Despatch from the Secretary of State for the Colonies, dated 21st January 1864 acknowledging the receipt of an address from Your Honorable House on the occasion of the Prince of Wales' Marriage.

I have the honor to be,
Mr. Speaker and Gentlemen,
Your obedient Servant,
(signed) A. E. Kennedy
Governor

(Copy)

Vancouver Island

Downing Street
21st January, 1864

Sir,

I have the honor to acquaint you that the addresses of the Legislative Council of Vancouver Island and of the House of Assembly to the Prince of Wales upon the occasion of his marriage (which were forwarded by your Predecessor in his Despatch No. 43 of the 20th of October last) have been duly laid before His Royal Highness, and that His Royal Highness derived much satisfaction from the loyal and affectionate sentiments which they express.

I have the honor to be,
Sir,

Your obedient Servant

(sd.) Newcastle.

Governor Kennedy

True Copy

(signed) A. E. Kennedy

No. 2

Victoria, Vancouver Island
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

My Predecessor has transmitted to me Your Message recommending the selection and appointment of a Council composed of a certain limited number of Members from the Legislative Council and from the Legislative Assembly for the purpose of forming an acknowledged link of communication between the Executive and Legislative branches of the Government, and thereby facilitating the transaction of public business.

With reference thereto I beg to convey my Assurances to the Assembly that the matter shall receive my best consideration; but I consider it would be inexpedient to enter upon so important a question with the limited experience of the Colony which I, at present possess.

I have the honor to be,
Mr. Speaker and Gentlemen
Your obedient Servant,

(sd.) A. E. Kennedy
Governor.

No. 3

Victoria, Vancouver Island
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to take this early opportunity of bringing to the notice of the Legislative Assembly the absence in this Colony of any Residence for its Governor.

I was aware of this fact before my departure from England, and in reply to a communication which I addressed to the Secretary of State upon the subject I received a Despatch dated the 16th September, 1863, which I have now the honor to submit for the information of the House of Assembly.

In submitting this subject to the House I would observe that it is one wholly distinct from that of the Civil List, and it will be for the consideration of the House, whether it should not be so treated.

In the event of the House of Assembly being disposed to entertain the question of a temporary Residence for the Governor of the Colony—or the erection of a permanent one—or both—I will be prepared to submit a definite proposal on either or both subjects.

I have the honor to be,
Mr. Speaker and Gentlemen,
Your obedient Servant
(sd.) A. E. Kennedy
Governor

(Copy.)

Downing Street
16th Sept. 1863

Sir

I am directed by the Duke of Newcastle to acknowledge your letter of the 27th Ult. on the subject of a Government House at Vancouver Island and to acquaint you that as no Residence for the Governor has hitherto been provided by the Colony it becomes a matter of necessity that you should cause a representation to be addressed to the House of Assembly moving them to supply the requisite funds for building one, and also for furnishing the public Apartments.

The duty of providing the Governor with adequate house accommodation devolves upon all Colonial communities and I entertain no doubt that the House of Assembly of Vancouver Island will cheerfully respond to your application on the subject.

Pending the erection of the House the Duke of Newcastle authorises you to engage a suitable Residence, the rent for which will have to be defrayed by the Colony.

His Grace approves your suggestion of having a plan of a house prepared by a competent Architect in this Country, and as soon as it is completed he will be happy to inspect it.

You will, however, necessarily incur a personal liability for the Architects charges, in case the Assembly should decline to adopt the plan and to provide for the expense of obtaining it.

I am, Sir,
Your obedient Servant
(signed) Frederic Rogers

To Captain Kennedy, C. B. &c. &c. &c.
True Copy A. E. K.

(Copy)

No. 4

Victoria, Vancouver Island
2nd April, 1864

To The Honorable The Speaker and Gentlemen of the House of Assembly
Gentlemen,

I find upon examination of the Sums voted for Services during the current Year that no provision has been made by way of Salary for the Private Secretary to the Governor of the Colony.

I forward, herewith, the Copy of a Despatch, dated 11th September 1863, conveying to me the views, upon this subject of Her Majesty's Principal Secretary of State for the Colonies.

Acting upon that Despatch I have selected and appointed a Private Secretary and I feel sure that it is not necessary that I should urge upon the Assembly the propriety of placing me in a position to award a Salary to a functionary so requisite to the Representative of the Crown to enable him to discharge his duties in a fitting and becoming manner.

I take this opportunity of also forwarding to the Assembly the Copy of a Despatch dated the 6th January, 1864—from the Secretary of State pointing out that

as this Colony possesses a Representative Assembly the passage money of my private Secretary cannot be defrayed from Imperial Funds.

I further enclose an Extract from the Colonial Regulations showing the limit within which the expense of the passages to Colonies of officers appointed from home is defrayed from Public Funds, and in reference thereto I would submit to the Assembly the propriety of appropriating the Sum of Five Hundred Dollars to reimburse the outlay already incurred for the passage from England to this Colony of my Private Secretary.

I have the honor to be,
Mr. Speaker and Gentlemen
Your obedient Servant
(sd.) A. E. Kennedy
Governor.

(Copy)

Downing Street
11th September, 1863.

Sir,

I am directed by the Duke of Newcastle to acknowledge the receipt of your letter of the 27th Ultio. on the subject of a Private Secretary.

His Grace desires me to say the he is clearly of opinion that you ought to have a Private Secretary for whom Two hundred and fifty Pounds would be a very proper provision.

No such provision, however, has been made by the Local Legislature or proposed to them as part of the arrangement by which they are to obtain possession of the Land Fund.

His Grace is therefore unable to guarantee the Salary of a Private Secretary. But in handing over to the Legislature the Crown Revenue of the Island you will be at liberty to urge upon them the propriety of making this provision on the Civil List, and in case it shall be made, or on the chance of their making it to select for yourself a Private Secretary.

More than this the Duke of Newcastle regrets that he is unable to do under present circumstances.

I am, Sir,
&c. &c. &c.
(signed) Frederic Rogers

Capt. Kennedy, C. B. &c. &c. &c.
True Copy A. E. K.

(Copy)

(Enclosed with Despatch No. 4)

Downing Street.
6th January, 1864

Sir,

With reference to your letter of the 23rd Ultio. I am directed by the Duke of Newcastle to acquaint you that Passage allowances or Passages at the public expense are not granted to officers appointed to Colonies possessing Representative Assemblies with the exception of Governors and sometimes Clergymen.

His Grace regrets therefore that he is unable to offer a Passage allowance to your Private Secretary.

Your obedient Servant
I am, Sir,
(sd.) Frederic Rogers

Captain A. A. Kennedy
True Copy. A. E. K.

Extract from the Rules and Regulations for Her Majesty's Colonial Service Chap. 4, Sec. 3, Clause 132.

Whenever any other person in this Country shall be appointed to any office in a Colony not possessing a Representative Assembly the emoluments of which do not exceed Five hundred Pounds per annum the Colonial Agent General will defray the expense of his Passage to the Colony but the person so appointed will be required to execute an Agreement in the Form inserted in the Appendix.

True Copy (signed) A. E. Kennedy

No. 5

Vancouver Island
Victoria, 4th April, 1864

To The Honorable The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to forward to you, herewith, Copy of a Despatch from Her Majesty's Principal Secretary of State for the Colonies announcing the pleasing intelligence that on the Evening of the 8th January last the Princess of Wales was delivered of a Prince.

I have the honor to be,
Mr. Speaker and Gentlemen
Your obedient Servant
(signed) A. E. Kennedy
Govr.

(Copy) (initialled) A. E. K.

Vancouver Island

Downing Street
15th January, 1864

Sir,

It is my pleasing duty to announce to you that on the evening of the 8th Inst. at two Minutes before Nine o'clock, Her Royal Highness The Princess of Wales was happily delivered of a Prince to the great joy of the Nation and of all The Royal Family. Her Royal Highness and the Infant Prince have, through Divine Mercy, continued to do well up to the present time.

I have the honor to be,
Sir,
Your most obedient humble Servant
(sd.) Newcastle

Governor
Sir James Douglas K. C. B.

Ordered for Thursday next In Committee of the whole—The Consideration of The Governors Despatch (No. 3) concerning a Residence for the Governor.

Also The Governors Despatch (No. 4) concerning Private Secretary's Salary and allowance of Five hundred Dollars passage money.

Wednesday, the 6th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Street, Dennes, De Cosmos, Bayley, Col. Foster, and Drs. Powell, Trimble, Tolmie.

The last Minutes having been read and confirmed.

Col. Foster from Committee on Private Bills in the matter of the Petition of Messrs. Coe and Martin and A Bill "To enable John Coe and Thomas Martin to introduce water into the City of Victoria" reported as follows.

To The Honorable The Speaker of the Legislative Assembly

The Private Bill Committee to which Your Honorable House has referred the Bill of Messrs. Coe and Martin to enable them to introduce water into the City of Victoria from Spring Ridge and elsewhere beg leave to report as follows.

That the preamble of the Bill has not been proven; and Your Committee is further of opinion that it is unadvisable to grant the privilege prayed for by Messrs. Coe and Martin, in as much as it has not been proven to the satisfaction of Your Committee that a sufficient Supply of Water can be obtained from Spring Ridge to supply the City; and in as much as Messrs. Coe and Martin have not satisfied your Committee that they will be able to supply the said City with Water from elsewhere.

(signed) George F. Foster, Chairman

Order of the Day.

The House then went in Committee of the whole upon A Bill Entitled An Act to regulate and amend "The Victoria Incorporation Act, 1862" (recommitted see R. 4th Inst.).

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

Thursday, the 7th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Street, Dennes, Carswell, Jackson, Duncan, De Cosmos, Bayley, Col. Foster, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

Order of the Day.

In Committee of the Whole.

The House took under consideration certain Communications received from His Excellency the Governor

No. 3 with enclosure Concerning A Residence for the Governor

No. 4 with enclosures Concerning Salary, For the Governor's Private Secretary, of Two Hundred and Fifty Pounds per annum, and an allowance of Five Hundred Dollars, as passage Money of that functionary from England.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Communications from his Excellency The Governor had adopted therein the following Resolutions.

1st As to A Residence for the Governor.

That this House most respectfully declines making any appropriation from the General Revenue of the Colony for the purpose of providing either a permanent or temporary Government House, until the result of an address lately transmitted to Her Majesty's Principal Secretary of State for the Colonies be known. The House is further of opinion that the Crown Revenues are applicable for such purposes, at the same time the House will not hold itself responsible for any debts incurred in that behalf.

2nd Resolution In regard of a Salary and Passage money for the Governor's private Secretary.

That this House is of opinion that the question cannot be entertained until such time as the question of the transfer of Crown Lands shall come before the Legislature in answer to Resolutions already forwarded to Her Majesty's Principal Secretary of State for Foreign [Colonial] Affairs.

Ordered That Report be received.

Mr. Franklin gave notice of Motion (M. B. fol. 67).⁷²

Mr. Speaker gave notice that there would be an Evening Session of the House, tomorrow.

The House then adjourned till 3 p. m. tomorrow.

Friday, the 8th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Duncan, Dennes, Carswell, De Cosmos, Street, and Drs. Tolmie, Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Duncan brought up the Report from the Select Committee On Education.

Ordered To lie on the Table.

Ordered For Monday next The consideration of above Report.

⁷² Motion Book, p. 67: "To establish and provide for the maintenance and supervision of public Schools within the limits of the City—said Schools to be conducted upon strictly non sectarian principles."

Mr. Speaker then read a Petition from certain Inhabitants of Vancouver Island to the Legislative Assembly praying that "A deviation be made in the Saanich Road &c."

Ordered That Petition be forwarded to the Executive.

The House then took up the Report of the Committee (yesterday) in regard to certain Communications received from His Excellency The Governor.

1st As to A Residence for the Governor.

2nd In regard to A Salary of Two Hundred and fifty Pounds per Annum; and an allowance of Five Hundred Dollars as passage money, for the Governors Private Secretary.

The House divided.

Question "That Report be adopted."

Ayes: 5.

Messrs. De Cosmos
Tolmie
Duncan
Carswell
Dennes

Noes: 5.

Messrs. Young
Franklin
Street
Drs. Trimble
Powell

Mr. Speaker gave his casting vote in favor of the Resolutions.

The Report of the Committee was therefore adopted.

Mr. Speaker then read a communication from the Honble. The Council.

Vancouver's Island
Council Chamber
April 7th 1864

To The Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have the honor to return to Your Honourable House the following Bills which have been read a third time and passed the Legislative Council as amended—viz.: "A Bill Entitled An Act to prevent the Unauthorised Issue of Bank Notes" Amendments attached and "A Bill Entitled An Act respecting Barristers and Attorneys-at-Law" Amendments attached.

I have the honor to be,
Gentlemen,
Your obedient Servant,
Edwin James Nesbitt,
Acting Clerk of the
Legislative Council.

Legislative Council Amendments to the Bank Note Bill.

Preamble Line 6. After the word "Notes" insert the words "within the Colony of Vancouver's Island."

Line 10. After the word "of" strike out the word "this" and in lieu thereof insert the word "said."

Clause II Line 44. After the word "amount" insert the words "of such Notes."

Line 45. Strike out the words "of the promissory Notes payable to bearer on demand."

Line 48. Strike out the words "or available Assets."

Line 50. After the word "Notes" strike out the words "and such Bank shall &c. &c." to the end of the Clause.

Clause III Line 56. Before the word "It" insert "that."

Line 87. After the word "recovered" strike out the remainder of the clause and introduce the words "as hereinafter provided."

Clause IV, Line 93. Before the word "every" insert "that."

Line 96. Strike out the word "of" and insert "after."

Line 100. Strike out the words "this Colony" and introduce the words "Vancouver Island".

Line 102. Strike out the words "or available assets."

Line 104. After the word "represent" add the words "and every Manager, Managing Director, Chief Cashier, or Clerk as aforesaid neglecting or refusing to make such declaration shall for every such offence forfeit to Her Majesty her heirs and Successors a Penal Sum of Five hundred dollars to be recovered as hereinafter provided."

Clause V, Line 105. Before the word "any" insert "that."

Line 122. After the word "recovered" strike out the remainder of the Clause and introduce the words "as hereinafter provided."

Introduce the following clause (after the second clause of the Bill).

That on and after the passage of this Act, Notes of a lower denomination than Five Dollars or of a denomination other than a multiple of Five dollars shall not be issued by any Bank authorized to issue Bank Notes under this Act.

Add also the following Clause.

All penalties under this Act shall be recovered in the Supreme Court of Vancouver Island in the name of the Attorney General or other officer duly authorised in that behalf.

(signed) Edwin James Nesbitt
Clerk of the Legtve. Council
7th April, 1864

Above Amendments Read a first time.

Legislative Council Amendments to The Barristers' and Attorneys' Bill.

Page 3 line 5. Strike out the words "where the common law of England is in the common-law of the Land."

Page 4 line 14. Strike out the word "of" and insert the word "to."

Page 5 line 5. After the word "Dominions" strike out the words "where the common-law of England is the common law of the Land."

Page 11 Line 13. After the word "accordingly" add the words "Provided always that nothing herein contained shall extend to take away alter or prejudice the rights of any person acquired prior to the passing of this Act but such proceedings may thereupon be had and taken and any such right dealt with in all respects by the said Court or the Judge thereof as if this Act had not been passed."

(signed) Edwin James Nesbitt
Clerk to the Council
7th April 1864

Above Amendments read a first time.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To regulate An Act entituled 'The Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had made progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned (At 10.30 p. m.) till Monday.

Monday, the 11th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Street, De Cosmos, Jackson, Bayley, Drs. Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The Consideration of the Amendments of The Honble. the Council to "The Barristers and Attorneys Bill" and to "The Bank Note Bill" was postponed till tomorrow.

The House then took up the report of The Committee on Education.

Mr. De Cosmos moved that Report be adopted.

Mr. Franklin seconded.

Agreed to.

Ordered That the Committee bring in "a Bill" based on the Report.

"A Bill To enable John Coe and Thomas Martin to introduce Water into the City of Victoria" came up for a 2nd Reading.

Ordered for Thursday next, 2nd Reading of above Bill.

The House then adjourned till tomorrow.⁷³

J. S. Helmcken
Speaker

Wednesday, the 13th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Bayley, Dennes, De Cosmos, Franklin, and Drs. Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Franklin, pursuant to Notice (M. B. fol. 67) moved "An Address of Congratulation to Her Most Gracious Majesty The Queen and also to Their Royal Highnesses The Prince and Princess of Wales upon the auspicious event of the Birth of a Prince."

Ordered That Messrs. Franklin, Bayley, and Dr. Powell be the Committee to draft above addresses.

Mr. De Cosmos gave notice of Motion (M. B. fol 67) for tomorrow (Thursday).⁷⁴

Order of the Day.

The Amendments of the Honble. the Council to "The Barristers' and Attorneys' Bill" were agreed to.

⁷³ The House did not meet Tuesday for lack of a quorum. *Colonist*, 13 April 1864.

⁷⁴ Motion Book, p. 67: "On Thursday next I will move a Resolution to be recorded on the Journals of this House repudiating the charge of disloyalty, made lately at a public meeting respecting the Speaker of this House."

The Amendments of the Honble. the Council to "The Bank Bill 1864" were Ordered for Friday next.

The House then went into Committee of the whole upon "A Bill To Regulate An Act entituled the Victoria Incorporation Act, 1862."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered for tomorrow.

2nd Reading of a Bill "To enable John Coe and Thomas Martin to introduce Water into the City of Victoria."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 15th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Street, Jackson, Bayley, Dennes, De Cosmos, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

Dr. Trimble presented a Petition from certain Property-holders at Point Ellis and on the north side of Victoria praying "not to be included with the limits of the City" in the Incorporation Bill now under consideration of the Legislative Assembly.

Mr. De Cosmos, pursuant to notice, moved the following Resolution.

That this House repudiates the charge of disloyalty against the Speaker of this House that has lately been put in circulation, and declares that such charge is unfounded; and, that this House places implicit confidence in the loyalty and attachment of the Speaker of this House to the Crown.

Dr. Trimble seconded.

Agreed to unanimously.

Order of the Day.

"A Bill To enable John Coe and Thomas Martin to introduce water into the City of Victoria" came up for a 2nd Reading.

Rejected unanimously.

The House then went into Committee of the whole upon "A Bill To regulate An Act entituled the 'Victoria Incorporation Act 1862.'"

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee, having had under consideration the foregoing Bill, had made progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Notice of Motion—for Tuesday next—Dr. Powell (M. B. fol. 69).⁷⁵

The House then adjourned till Monday next.

J. S. Helmcken

Speaker

Monday, the 18th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Jackson, and Drs. Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker rose to correct certain mis-statements which had been made by the Reporters of the Public Journals in their reports of the Debate which took place in the Legislative Assembly on the 15th Inst.

Order of the Day.

The House then went into Committee of the whole upon "A Bill To Regulate An Act entituled 'The Victoria Incorporation Act, 1862.'"

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill, begged to report the Bill complete with Amendments.

Ordered That Report be adopted.

Notice of Motion for Friday next. Dr. Powell (M. B. fol. 69).⁷⁶

The House then adjourned till tomorrow.

J. S. Helmcken

⁷⁵ Motion Book, p. 69: "On Tuesday next I will move an humble address to His Excellency the Governor praying a delay in the expenditure of \$5000.00 appropriated for the erection of a School House in Victoria District pending the enactment of a Common-School Bill; and to provide a sufficient sum for the temporary provision of a public Common School in this City."

⁷⁶ Motion Book, p. 69: "That I will on Tuesday next present a petition to introduce a Bill to incorporate the 'Emanuel of Victoria Vancouver Island.'"

Tuesday, the 19th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Dennes, Carswell, De Cosmos, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Read a 3rd time and passed.

A Bill To regulate An Act entituled "The Victoria Incorporation Act, 1862."

The House then adjourned till Monday next (the 25th Inst.).

J. S. Helmcken
Speaker

Monday, the 25th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Franklin, Dennes, De Cosmos, Powell.

The last Minutes having been read and confirmed.

Dr. Powell presented a Petition from certain Members of the Jewish Persuasion, with "A Bill to incorporate the Israelite Congregation, named 'The Emanuel of Victoria Vancouver Island.'"

Ordered To be referred to Committee on Private Bills.

The Amendments of the Honble. the Council to "The Bank Note Act, 1864" were agreed to.

The House then adjourned till Wednesday.⁷⁷

J. S. Helmcken.
Speaker.

Friday, the 29th day of April, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Bayley, Dennes, De Cosmos, and Dr. Powell.

The last Minutes having been read and confirmed.

There being no business The House adjourned till Tuesday next (May 3rd).

J. S. Helmcken
Speaker

⁷⁷ The House did not meet on Wednesday, presumably because of the arrival of the mail steamer. It did not meet on Thursday for lack of a quorum. *Colonist*, 29 April 1864.

Tuesday, the 3rd day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Jackson, Street, Duncan, Dennes, Franklin, Carswell, De Cosmos, Bayley.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 6]

Victoria, V. I.
3rd May, 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have received from Your Speaker a Communcation dated the 2nd Instant, bringing to my notice the fact that a Committee of the House had prepared a Bill to institute and carry out a general system of Education for this Colony.

As I understand that the Bill in question contains Clauses levying new taxes and permanently appropriating moneys out of the General Revenue of the Colony in excess of the financial Scheme already laid before the House, I beg to acquaint the House that I entirely concur in the policy of placing a matter so important to the community at large as Education upon a sound and satisfactory basis, and I have much pleasure in recommending the subject to the earnest consideration of the House.

I have the honor to be,
Gentlemen,
Your obedient Servant
(sd.) A. E. Kennedy
Governor.

Mr. Duncan begged leave to bring before the House, in accordance with His Excellency The Governor's communication, "A Bill Entitled An Act respecting Common Schools" reported from the Committee on Education.

Ordered that above Bill be printed.

Notices of Motion.

Mr. De Cosmos for Monday next (M. B. fol. 69).⁷⁸

„ „ „ „ „ (M. B. fol. 69).⁷⁹

Mr. De Cosmos presented a Petition from the Promoters of the "Harewood Railway Company (Limited)" and therewith "A Bill Entitled An Act to authorise the Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District, Vancouver Island."

Ordered to be referred to Committee on Standing Orders and Private Bills.

Mr. Franklin presented a Petition, which was the result of a Public Meeting in Victoria, held on the 9th April, upon the question of Education; stating, at

⁷⁸ Motion Book, p. 69: "At next meeting of the House I will move for information as to whether Commissioners have been appointed under the Pilot Act."

⁷⁹ Motion Book, p. 69: "At next meeting of the House I will move for information as to whether the Government have taken any steps to carry out the views of this House as expressed in certain Resolutions passed this Session with respect to a reciprocity treaty with the United States."

the same time, that a difference of opinion might arise, as to whether certain expressions therein contained were, or were not, disrespectful to the House.

Mr. Duncan moved that "the Petition be not read."

For Mr. Duncan's motion.

Against Mr. Duncans Motion.

Ayes: 3.

Noes: 3.

Messrs. Duncan

Messrs. Franklin

Dennes

Jackson

Carswell

Street

Mr. Speaker, after duly examining the document, *Ruled* That it was not a properly drawn up Petition, and, therefore, out of order.

Mr. Young from the Committee "On Public Expenditure" and from the Committee "On Receipts and Disbursements of Revenue" brought up the Reports of the above Committees respectively.

Ordered To lie on the Table.

Ordered For Monday next—The Education Bill.

The House then adjourned till Monday (9th Inst.).

J. S. Helmcken
Speaker

Monday, the 9th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Dennes, Bayley, Franklin, De Cosmos, Dr. Tolmie, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 7]

Victoria, Vancouver Island
9th May, 1864

To The Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have received the annual report from the Colonial Auditor upon the Accounts of the Colony for the year ending 31st December 1863.

From that report it appears that the total sum expended during the Year amounts to \$157,532.41—while the votes of the House for the same period amounted to \$275,680.00. Detailed Accounts have already been laid before the House from which it will be seen that the principal cause of this large difference between the Votes and the expenditure arises from the non-disbursement of \$87,300.00 appropriated towards the improvement of Victoria Harbour, and the non-bringing to account of the Sum of \$18,857.00 payments for interest and sinking fund on account of the £40,000 Loan. Notwithstanding, however, that the expenditure falls so far short of the Supply there are several items of disbursement which are not covered by any heads of Service, and in some cases the expenditure under the heads of Service has exceeded the Vote of the House.

In both these cases the Vote of the House is necessary to enable the Auditor finally to pass the Accounts for the Year.

I therefore enclose a Statement exhibiting under the regular heads of Service the excess of expenditure over the classified Votes, and of the Sums expended for Services for which no provision was made; amounting in the whole to \$19,804.28 and I beg to recommend to the House the propriety of passing a Vote for the said Sum of Nineteen thousand eight hundred and four dollars and twenty eight cents to close the accounts for the year ending 31st December, 1863.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(sd.) A. E. Kennedy
Governor

Colonel Foster from Committee on Standing Orders and Private Bills reported that the Promoters of "A Bill Entitled An Act to authorise The Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District, Vancouver Island" had complied therein with the Standing Orders.

Also that the Promoters of A Bill "Entitled An Act to incorporate the Israelite Congregation, named the Emanuel of Victoria, Vancouver Island" had complied therein with the Standing Orders except in the instance of an Irregularity in Advertisements, which the Committee deemed so unimportant as to recommend that the Standing Orders in that regard be not insisted upon.

Ordered that the Standing Orders be waived in regard of Advertisement.

Bills Read a 1st time and referred to Committee on Private Bills.

The Harewood Railway Co. (Limited).

Also "A Bill To incorporate the [Congregation of] Emanuel of Victoria, Vancouver Island."

Notices of Motion.

Mr. Young for next meeting (M. B. fol. [blank]).⁸⁰

Mr. Bayley „ „ „ („ „ fol. [blank]).⁸¹

The House then went into Committee, upon "A Bill Entitled An Act respecting common Schools."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Bill had agreed to the general principle thereof.

"A Bill Entitled An Act respecting common Schools" was then Read a first time.

The House then adjourned till tomorrow.

⁸⁰ Motion Book, p. 71: "I give notice that on Tuesday next the 10th Inst. I will ask the leave of this House to introduce a Bill 'Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver Island and its Dependencies.'"

⁸¹ Motion Book, p. 71: "I give notice that at the next meeting of this House I shall ask if the Executive of this Colony purpose introducing a Bill into this House for the collection of small Debts for the Town and District of Nanaimo."

Tuesday, the 10th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Jackson, Dennes, Bayley, De Cosmos, Street, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Mr. Young, pursuant to notice asked leave to bring in A Bill "Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver's Island and its Dependencies."

Ordered That leave be granted.

Mr. Bayley, pursuant to notice, moved for information as to whether the Executive of this Colony purpose introducing A Bill into this House for the collection of small debts for the Town and District of Nanaimo.

2nded by Mr. Dennes.

Ordered That leave be granted.

Read a 2nd Time and committed.

A Bill Entitled An Act respecting common Schools.

The House then went into "Committee of Supply" upon the Communication received Yesterday from His Excellency The Governor (dated 9th April 1864) and Enclosure, viz.: "A Statement shewing under the proper heads of Service the Excess of Expenditure during the Year 1863 over the Votes of Legislature classified under those particular heads."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee of Supply having had the above mentioned Statement under consideration, had voted therein a Sum of Nineteen Thousand Eight hundred and four dollars and Twenty Eight cents (\$19804.28).

The House then adjourned till tomorrow at 3 p.m.⁸²

Thursday, the 12th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, De Cosmos, Jackson, Franklin, Tolmie, Foster, Street.

The last Minutes having been read and confirmed.

Mr. Young asked leave to present A Petition from certain Residents of Victoria in the matter of "A Bill Entitled An Act respecting common Schools."

Ordered To lie on the Table.

Notice of Motion—for Tuesday next, Mr. De Cosmos.⁸³

⁸² The House did not meet on Wednesday for lack of a quorum. *Colonist*, 12 May 1864.

⁸³ Motion Book, p. 71: "On Monday, May 16, I will move the following Resolution. 'That the House fix a day to take into consideration the Despatches between Govr. Douglas and His Grace the Duke of Newcastle, with respect to the constitution of the Legislative & Executive Councils.'" Presumably the clerk corrected the minutes to read "Tuesday" because the House adjourned to that date.

Mr. De Cosmos, pursuant to notice, moved the following Resolution.

Resolved, That His Excellency The Governor be respectfully requested to inform this House whether the Government have taken any Steps to carry out the views of this House as expressed in certain Resolutions with respect to a reciprocity treaty between this Colony and the United States of America.

Seconded by Col. Foster, and agreed to.

Mr. De Cosmos, pursuant to notice, also moved the following Resolution.

Resolved, That His Excellency the Governor be respectfully requested to inform this House whether the Government have appointed Commissioners under the "Pilot Act, 1864."

Seconded by Dr. Tolmie.

Mr. Young stated that on the 9th Inst. The Governor-in-Council had appointed Mr. Young, the Colonial Secretary, Mr. J. J. Southgate, Mr. Wootton Harbour Master to be Commissioners under the "Pilot Act 1864."

Mr. De Cosmos begged leave to withdraw his Resolution.

Agreed to.

The House then took up the Report of the Committee of Supply (yesterday)—and Read a first time "A Bill To grant a Supplemental Supply of Nineteen Thousand Eight hundred and four dollars and twenty eight cents, for the Service of the Year One thousand Eight Hundred and Sixty three."

Read a first time "A Bill Entitled An Act to provide for the closing of Wells upon unenclosed lands in Vancouvers Island and its Dependencies" (Mr. Young).

Seconded by Mr. Franklin.

The House then went into Committee of the Whole upon "A Bill Entitled An Act respecting Common Schools."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had, therein, Resolved That the Chair do now rise.

The House then adjourned till tomorrow.

Speaker

Friday, the 13th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Duncan, Dennes, De Cosmos, Bayley, Street.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 8]

Victoria, Vancouver Island
13th May, 1864

To the Honble. The Speaker and Gentlemen of the House of Assembly
Gentlemen,

I have the honor to forward herewith for the consideration of the Legislative Assembly Copy of a Communication I have this day received from the Municipal Council of the City of Victoria, representing the amount of their existing Liabilities, and requesting that they may be supplied with funds to discharge the same, as, for the reasons stated, they are unable to raise the necessary Moneys.

2. In consideration of all the circumstances of this case, with which the Assembly are already well acquainted, I would submit to the House the propriety of empowering me to pay to the Corporation out of the general Revenue of the Colony the Sum of Six Thousand Dollars to enable the Council to liquidate Liabilities incurred by them in discharge of the duties and responsibilities cast upon them by virtue of their office; and to repay these moneys to the general Revenue, as well as other moneys already expended on behalf of the Corporation, I would recommend that the Legislature should pass An Act by which an additional sum of one half of one per cent can be collected upon the Government Assessment Roll for the City of Victoria for the year ending 30th June 1864, those persons who may have paid Real Estate taxes to the Corporation in December last being exempted from the operation of such Act.

I have the honor to be,
Gentlemen,
Your obedient humble Servant,
(signed) A. E. Kennedy
Govr.

Enclosure

(Copy)

City Council Chambers
Broad Street, May 13th/64

*His Excellency Arthur Edward Kennedy C. B. Governor
of the Colony of Vancouver Island*

May it please Your Excellency

In compliance with your request as conveyed to His Worship The Mayor on the 12th Instant we beg most respectfully to lay before Your Excellency the accompanying statement in Schedule hereto annexed of the indebtedness of the Corporation of this City up to the present time.

Owing to the serious defect in the Act of Incorporation and the failure of the House of Assembly to amend said Act, the Corporation find themselves powerless to raise the necessary funds to meet their present indebtedness.

We therefore humbly pray that Your Excellency will take such measures as to Your Excellency may seem best, and cause to be placed at the disposal of the Mayor and Council a sum sufficient (say Six Thousand Dollars) to pay their liabilities due to the present time.

We would also most respectfully call Your Excellency's Attention to the fact that a portion of the Real Estate Tax levied by the Corporation in December last has been paid in good faith by the Owners of property in the City.

The Council now have serious doubts as to their power of enforcing the payment of the balance due on that Assessment; they therefore feel that a great injustice would be done those who have paid were we to retain the amount.

We therefore humbly pray that Your Excellency will cause to be refunded to the Corporation the Sum of Five Thousand three hundred and Sixty two dollars (\$5362.00) in order that the Council may refund the same to those who have paid.

We trust that Your Excellency will see the injustice of this Course and also its propriety when we state that if the Council are not empowered to refund those taxes it will doubtless lead to tedious and expensive litigation.

Trusting that this matter will receive every due consideration at the hands of Your Excellency.

We have &c.
 (signed) The Mayor and Council
 of the City of Victoria
 (signed) Algernon Austen
 Town Clerk

Statement of Liabilities

Re Corporation City of Victoria to 31 May 1864

To arrears of Salaries to date	2326.02
.. Balance on Contracts	1643.89
.. Rent Council Chambers	525.00
.. Rent City Pound.	80.00
.. Miscellaneous including Stationery, Coal Lighting Offices Expenses	65.00
.. Remetalling and repairing Streets, labor for cleaning Streets.	350.75

Loan Account

Due on Debenture Account on 31 December 1863	5362.00
" " " " " " " 1864	10,003.03
" " " " " " " 1865	9,045.43
	<hr/> \$29,401.1 $\frac{2}{100}$

Forwarded to His Excellency
 13 May, 1864

Ordered for Tuesday next, The Consideration of the above Correspondence.

Read a 2nd time and Committed.

A Bill To grant a Supplement Supply of Nineteen Thousand Eight hundred and four Dollars and Twenty Eight Cents for the Service of the Year One Thousand Eight Hundred and Sixty Three.

Also, "A Bill Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver's Island and its Dependencies."

The House then went into Committee of the whole upon "A Bill To grant a Supplemental Supply of Nineteen Thousand Eight Hundred and four Dollars and Twenty Eight Cents for the Service of the Year One thousand Eight hundred and Sixty three."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without Amendments.

Ordered That Report be adopted.

Also, into Committee of the whole, upon "A Bill Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver's Island and its Dependencies."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill had agreed to the same without Amendments.

Ordered That Report be adopted.

The House then adjourned till Tuesday next (17th).

Speaker

Tuesday, the 17th day of May, 1864

The House met at 3 p. m. this day pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, De Cosmos, Duncan, Jackson, Dr. Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 9]

Victoria
Vancouver Island
16th May, 1864

To The Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to acknowledge receipt of Your Speaker's Communication dated the 12th Inst. forwarding Copy of two Resolutions passed by the Legislative Assembly.

2 In reply to the first I have the honor to acquaint you that the matter of the collection of small debts at Nanaimo has not come under my consideration and that in view of the late period of the Session I do not propose at the present time to take any Steps towards the introduction of a Bill to effect that object.

In respect to the second Resolution I beg to inform the House that the subject of Reciprocity between the Colony and the United States of America has not been brought under my notice and consequently I have taken no steps in respect thereto neither does it appear that any recent Action in this matter was taken by my Predecessor.

I have the honor to be,
Gentlemen,
Your obedient humble Servant
(sd.) A. E. Kennedy
Governor

Also A Communication from His Excellency The Governor.

[No. 10]

Vancouver's Island
Victoria, 17th May, 1864

To The Honorable The Speaker and Gentlemen of The Legislative Assembly
Gentlemen

The Vote of the Legislature for the improvement of the Harbour being already overdrawn it becomes necessary that I should bring the present position

of the undertaking under the consideration of the Legislative Assembly with a view to their providing for the future cost thereof.

2 By an Act of the Legislature passed in 1862 authorising the Governor to borrow the Sum of Forty Thousand Pounds on the Security of the General Revenue, A Sum of £18,000 was set apart for the purpose of improving the Harbour of Victoria.

3 Under that Authority and a Vote of the House the following Expenditure has been incurred.

Cost of Machinery in London not including advance to Engineer &c.	£7542.17.2
Contracts made in the Colony	10,590.10.4
	£18,133. 7.6
Amount voted	13,595.17.6
Expenditure in excess	£4,537.10.0

These Sums do not include the cost of a Workshop, Forge, Storehouse or hoisting Tackle, all of which are immediately necessary if the work is to be continued, and for which no Estimate has been made.

4 No Salary has been provided for "A competent Superintending Engineer, estimated by the Surveyor General at £500 per annum a salary in my opinion inadequate to secure the Services of An Officer of that description.

5 The dredging Machine completed, I cannot estimate the wear and tear, salaries and working expenses, generally, at less than Ten Thousand Pounds per annum, though the Surveyor General sets it down at half that Sum.

6 The Surveyor General (as I understand the Report herewith, dated 7th May 1864) is of opinion that this Expenditure "for 3 succeeding Years would be required to make Victoria Harbour." But the board of which that officer was a Member in 1862 impress[ed] upon the Governor "the extensive nature of the undertaking and [to] guard against the expectation that any permanent results can be looked for under a Series of Years," that it "would require the undivided attention and superintendence of an Engineer experienced in such operations and it did not seem probable that such a work could be completed under favorable circumstances, with one Dredging Machine within a period of six or seven years."⁸⁴

7 The original Estimate appended to the Commissioners Report (of Feby. 28th 1862) must have been wholly fallacious, or the Expenditure of 1864 must be exorbitant, for I find the Estimate for a Steam Dredge, twelve Scows, Tug Steamer, and Diving Bell Workshop, Forge Tools, and Sundries amounted to £9,500, while the Actual Outlay for a part only of this Service will cost £18,133.

8 I am of opinion that the estimated working expenses will bear a like proportion to the actual cost.

9. It will appear on reference to the "Tabular Statement" accompanying the Commissioner's Report (and upon which date calculations appear to have been made) that the cost of Five Dredges, a Steam Tug, two diving Bells and 160 punts cost (in Scotland) £39,000, while the one now in process of construction in this harbour will cost £18,133 at least.

10. With these data before them the Legislative Assembly will be enabled to decide upon the sum necessary to place at my disposal for the completion of this formidable undertaking.

I have the honor to be,
Gentlemen,
Your obedient Servant
(signed) A. E. Kennedy
Governor

⁸⁴ The quotation of the report in the minutes is not entirely accurate. See Report of the Victoria Harbour Commission, 28 February 1862, PABC.

Enclosure

Copy

Office of Lands and Works
7th May, 1864

The Honble. Colonial Secretary

Sir

In reply to His Excellency's Memorandum of enquiry relative to Victoria Harbour Improvements I have the honor to report

1 That under the "Victoria and Esquimalt Harbour Dues Act 1860" The Governor was empowered to borrow £8000 for Harbour Improvements and under the "Vancouver Island Road and Harbour Loan Act of 1862" £40,000—of which £32,727.5.6 was to be applied to the Harbour.

2 The amount voted in the Estimates for 1864 for Harbour improvement to be charged against the sums above mentioned was as follows

4 Stokers 9 Months @ 75/	\$2700.00
Salaries of 2 Engineers, 9 mo. @ \$120 ea.	2160.00
Master of Screw 9 months @ \$120	1080.00
Crew 2 Men 9 months @ \$50	900.00
Cost of Dredge and Steam Machinery	22564.00
Hull of dredge Tugboat Scows, Barges, Coal, and Working Expenses	30000.00
	<hr/>
	\$59,404.00 or
	£12,281.15.6

The foregoing Estimate does not appear to include Workshops, Forge, Storehouse, Small Wharf on Pier with hoisting Tackle. Expenses incurred in London were as follows.

T. & A. Blyth's Bill for Machinery of Dredge, Tug, and four mud Punts.	£4595. 0.0
Duplicates Tools Equipments	
Materials and Stores	1305. 4.2
Freight and Passage	1173.10.0
Diving Apparatus	149.10.0
Insurance Shipping Charges	
Brokerage, Dock dues &c.	286. 9.0
Fee to Mr. Wakefield Civil Engineer	26. 5.0
Cost of copying documents	6.19.0
	<hr/>
	£7542.17.2
	<hr/>

In this latter sum are not included advances made to Engineers on various accounts and to enable them to take out one of their families with them amounting to £167.10.0.

The Establishment of Workshops, Forge, Store-house &c. as before mentioned is now a matter of much importance—if not immediately attended to, where are the Stores to go? or the men to work? I presume the Ship will be due here early in June.

Contracts made in the Colony

1st dated 8th March/64 with James W. Trahey to build the
Dredge, Hull, and 4 Mud Punts.
Time 5 Months Price \$34,564.00

2nd dated 9th March/64 with Robert Ewing
to construct the Steam Tug.

Time 5 Months

Price \$16,800.00

\$51,364.00 Or
£10,590.10.4

Both Contractors are bound to fix the Machinery.

The foregoing figures do not include wages or working Engineers and salary of Mr. Leigh now superintending the Works. The working Engineers Wages average £250 per annum each. Mr. Leighs Salary is at the rate of \$1500.00 per annum.

Recapitulation

Amount incurred in London exclusive of advances to Engineers	£7542.17.2
Contracts made in the Colony	10,590.10.4
Total expenses incurred	18,133. 7.6
Amount voted	13,595.17.6
Expenditure in excess of amount voted	£4,537.10.0

The cost of the Hulls in this Colony has been great beyond all anticipation and is double the vote of the House.

The lowest tender from San Francisco offered to supply a Dredge complete to work with single ladder of Buckets in 25 feet of water guaranteed to excavate 600 yards per diem for about the same sum that the woodwork of the Hull of the Dredge is contracted for here.

Peter Donahu's Tender for Dredge delivered complete	\$33,300.00
Trahey's contract for Dredge Hull and Hulls of 4 Punts	34,564.00
Less woodwork of Punts say	1,200.00
Traheys tender for Dredge Hull only about	\$33,364.00

The Estimate for Iron works in this lowest (San Francisco) Tender was 50 Per Cent above Blyth's showing that no mistake was made in procuring the Iron work from England as regards price.

Work to be done

To deepen the whole Harbour to 14 or 15 feet of water at lowest tides would approach an excavation of One Million cubic yards—More detailed thus

	c. yds.
To remove the Bar	349,267
To deepen from Wharf to Songhees Village	18,880
„ „ the Central Basin	47,777
The James' Bay Excavation	464,074
Total	880,000

From the foregoing figures it is obvious that the removal of 500,000 C. yards would vastly benefit the Harbour. This would occupy the Dredge if properly worked 2-3 years: making due allowance for accidents the foregoing is a moderate Estimate.

No estimate has been included for removing Rock for except on a Small Scale this would not be required. It would cost \$5.00 per Cubic Yard if above water \$11.00 if below.

Annual Expenses.

The Estimate on this point of the Harbour Commission which I assisted in the preparation of would show that An Expenditure of £5000 a Year, which would include £500 a year for the Services of a competent Superintending Engineer whose whole time and services would be required and which would include £500 a year for wear and tear and contingencies for 3 succeeding years [blank] be required to make Victoria Harbour.

Divers are not an important item since blasting in deep water is not contemplated to any extent. Working Engineers Wages average £250 per annum each.

In reply to His Excellency's queries 8, 9, and 14, I am not aware that any executive arrangements have been made which would throw the sole responsibility of Success or failure of the Harbour Improvement on One Superintending Officer and with regard to the Harbour Proclamation it would be of course impossible for the Postmaster engaged at an indoor occupation to say whether ashes were being thrown overboard a Steamer or not &c. but I would respectfully suggest that the Superintending Engineer might also do Harbour Masters and Light-house duty.

I have, &c.

(signed) J. Despard Pemberton
Surveyor General

Ordered for Friday next The Consideration of above Correspondence.

Col. Foster, from the Committee on Standing Orders and Private Bills reported that the Promoters of "A Bill entitled An Act 'To authorise the Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District, Vancouver Island'" had proven the Preamble thereto, and complied with the Standing Orders. The Committee therefore beg to recommend the passage of the said Bill.

Also, in the matter of "A Bill Entitled An Act to incorporate the Israelite Congregation named 'The Emanuel of Victoria, Vancouver Island'" That the Preamble had been proven, & the Standing Orders complied with. The Committee therefore begged to recommend the passage of the said Bill.

Ordered for Friday next, (20th) 2nd Reading of above Bills.

Bills read a 3rd Time and passed.

A Bill Entitled An Act to provide for the closing of Wells upon unenclosed lands in Vancouver Island and its Dependencies.

Also A Bill To grant a Supplemental Supply of Nineteen thousand Eight hundred and four dollars and Twenty Eight cents for the Service of the Year one Thousand Eight Hundred and Sixty Three.

The House then went into Committee of the whole upon the Communication of His Excy. The Governor dated, received and read, 13th May 1864 with enclosure signed by The Mayor and Council of the City of Victoria.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Communication from His Excellency the Governor had resolved "That the Governor be empowered to pay \$6000.00 out of the General Revenue to the Mayor and Council of the City of Victoria for civic purposes." Also "That a Tax of one Half of one per centum be levied on all real Estate within the City of Victoria for civic purposes; but that all persons who have paid Taxes under the Real Estate Tax By-law passed by the Mayor and Council of the said City be exempted from the said Tax.

Ordered That Bills be brought in accordingly.

Wednesday, the 18th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair and Messrs. Tolmie, Jackson, De Cosmos, Dennes.

The last Minutes having been read and confirmed.

The House took up the Report of the "Committee of Supply."

Ordered That Report be agreed to.

Bills read a first time.

A Bill Entitled An Act to impose a Tax of One half of One per cent upon all Real Estate within the City of Victoria and for other purposes relating thereto.

Also "A Bill Entitled An Act to enable the Governor to pay out of the General Revenue Six Thousand Dollars for Civic purposes."

The House then adjourned till tomorrow.

J. S. Helmcken

Thursday, the 19th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, and Messrs. Jackson, Franklin, De Cosmos.

The last Minutes having been read and confirmed.

Bills read a 2nd time and committed.

A Bill Entitled An Act to enable the Governor to pay out of the General Revenue Six thousand dollars for Civic purposes.

Also "A Bill Entitled An Act to impose A Tax of One half of One per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto."

In Supply The House then went into Committee of the Whole upon the above Bills.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bills. With regard to the first Had agreed to the same with Amendments. With regard to the Second Had agreed to the same with Amendments.

Ordered That Report be adopted.

Ordered For tomorrow.

3rd Reading of above Bills.

The House then adjourned till tomorrow.

Speaker.

Friday, the 20th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Trimble, Powell, Messrs. Dennes, Duncan, De Cosmos, Franklin, and Col. Foster.

The last Minutes having been read and confirmed.

Read a 3rd Time and passed.

A Bill Entitled An Act to enable the Governor to pay out of the General Revenue, Six Thousand Dollars for civic purposes.

Also, "A Bill Entitled An Act to impose A Tax of One Half of One per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto."

Read a 2nd time and committed.

A Bill Entitled An Act to authorise the Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District, Vancouver Island.

Also, "A Bill Entitled An Act to incorporate the Israelite Congregation, named 'The Emanuel, of Victoria, Vancouver Island.'"

The House then went into Committee of the whole upon His Excellency's Communication dated 17th May, and read on the same day to the House, on the Subject of the Expenditure (in excess of Sum already voted by the Legislature) required for the improvement of Victoria Harbour.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Communication begged to report progress and ask leave to sit again.

Ordered That report be received and leave granted.

Col. Foster presented a Petition from the Inhabitants and Property holders of Esquimalt praying for "a Suspension of the Works in the matter of the improvement of Victoria Harbour."

The House then adjourned till Thursday (26th).

J. S. Helmcken
Speaker

Thursday, the 26th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Messrs. Franklyn [Franklin], Jackson, Duncan, De Cosmos, Dennes, Carswell, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Order.

1st Referring to the Proceedings of this day in the Committee upon Crown Lands, Mr. De Cosmos stated that he had seconded a motion made by Dr. Tolmie "that the draft-report (which he had been deputed by the Committee to frame) be re-committed" and that the Chairman declined to open the question again as it had been already settled.

2nd Mr. Dennes moved that "The Report be adopted as amended."

3rd He, Mr. De Cosmos moved An Amendment "That the Report be adopted to Section 20, and that the Committee proceed to consider all the subsequent Clauses of the draft report with amendment to Section 20."

Mr. Speaker ruled

1st That a Report cannot be recommitted by a Committee to itself, but must be recommitted by the House.

2nd That Mr. Dennes's motion was in Order.

3rd That the Resolution of Mr. De Cosmos was "out of Order" in that it meant the reconsideration of Clauses already rejected.

Mr. Speaker then read the following Communication from the Honble. The Legislative Council.

Vancouver Island
Council Chamber
May 20th 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to return to Your Honorable House "A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks in

Vancouver Island and its Dependencies" and for the registration of the names of the proprietors thereof which had this day passed the Legislative Council as amended.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(signed) E. J. Nesbitt

Council Amendment to Banking Bill

Paragraph 6. After the 12th line insert the following words "together with the amount of Capital or shares individually held."

Council Amendment agreed to.

Read a first time.

Ordered for tomorrow.

In Committee "The Harewood Railway Bill (Limited)."

Also, "A Bill Entitled An Act to incorporate the Israelite Congregation named 'The Emanuel of Victoria, Vancouver Island.'"

Order of the Day.

On the Motion of Mr. De Cosmos, seconded by Dr. Tolmie The Consideration in Committee of the Communication of His Excy. The Governor dated 17th May, on the subject of the expenditure (in excess of the Sum already voted by the Legislature) required for the improvement of Victoria Harbour was postponed till Monday next (30th Inst.)

Question.

For Mr. De Cosmos's motion

Against the Motion

Ayes: 5.

Noes: 3.

Messrs. De Cosmos

Messrs. Jackson

Franklin

Trimble

Powell

Foster

Tolmie

Dennes

Mr. Speaker then read a letter from the Honble. W. A. G. Young, Colonial Secretary of the Colony of Vancouver Island and its Dependencies—resigning his seat as Member for the City of Victoria.

J. S. Helmcken
Speaker

Monday, the 30th day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Messrs. Jackson, Franklin, Duncan, De Cosmos, Dennes, Bayley, and Col. Foster.

The last Minutes having been read and confirmed.

The Amendment by the Honble. The Council to "A Bill Entitled An Act to provide for the periodical publication of the Liabilities and Assets of Banks

in Vancouver Island and its Dependencies and for the registration of the names of the proprietors thereof" was Read a 2nd time and agreed to.

Mr. De Cosmos presented a Petition from certain Property Holders of the City of Victoria praying for "An Appropriation for The improvement of Victoria Harbor."

Also from The Chamber of Commerce praying for an Appropriation "sufficient to make the experiment of working the Dredging Machine for at least one year."

Ordered To lie on the Table.

The House then went into Committee of the whole upon His Excellency the Governor's Communication dated 17th May, on the subject of the Expenditure (in excess of Sum already voted by the Legislature) required for the Improvement of Victoria Harbour.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned correspondence, begged to report progress, and asked leave to sit again.

Ordered That report to be received and leave granted.

Notice of Motion by Dr. Trimble (M. B. fol. 73).⁸⁵

The House then adjourned til tomorrow.

J. S. Helmcken

Tuesday, the 31st day of May, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Dennes, Carswell, Jackson, Bayley, De Cosmos, Foster, and Drs. Tolmie, Trimble, Powell.

The last minutes having been read and confirmed.

Dr. Trimble, pursuant to notice, moved (M. B. fol. 73) the following Resolution.

Resolved That His Excellency The Governor be respectfully requested to lay before this House all the correspondence between the Lands and Works Office and Contractors, relating to the Dredge, Tug-boats and Punts.

Mr. Dennes seconded.

Agreed to.

The House then went into Committee of the whole upon a Communication from His Excellency The Governor dated 17th May, on the subject of the Expendi-

⁸⁵ Motion Book, p. 73: "I will move that this House respectfully request His Excellency the Governor to lay before this House all the correspondence between the Lands and works office and contractors, relating to the Dredge, Tug-boats and Punts."

ture (in excess of Sum already voted by the Legislature) for the improvement of Victoria Harbour.

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Communication had Resolved That the Governor be empowered to apply the balance of the Loan to the completion of the Dredge, Tugboat and Scows &c. That the question of annual expenditure for carrying on the work will be a question of a future Session when the Money shall be required.

Ordered That Report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 1st day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Jackson, Dennes, Carswell, and Dr. Tolmie.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from the Honble. The Council.

Council Chamber
May 31st 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have the honor to transmit to Your Honorable House "A Bill Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver Island and its Dependencies" which, with the amendments attached thereto, was, yesterday, read a third time and passed the Legislative Council.

I have the honor to be,
Gentlemen,
Your obedient Servant
(signed) Edwin James Nesbitt

Council Amendments

Clause 3. Add the following Words to the Clause.

And that the said Penalty may be recovered by distress and default of a sufficient distress by imprisonment for a period of not more than one week.

Add the following Clauses.

No. 5 That in the event of said Penalty remaining unrecovered for the Space of Twenty four hours after the order of the Justice, the amount of the Penalty shall be deemed to be a charge within the meaning of An Act entitled "the Land Registry Act, 1860" upon the Real Estate on which such Well is situate and the Surveyor General is hereby authorised and required to register the order in that behalf as a charge against such Real Estate on the Books of the Registrar General of Titles of Real Estate in Vancouver Island and its Dependencies.

6 Every Justice of the Peace shall within twelve hours from the time which such order is made transmit the same order to the Surveyor General, or Mayor and Council as the case may require and the said Surveyor General and Mayor in Council are hereby required to register the same within the space of twelve hours from the receipt of the same.

7 No fees shall be taken by the Registrar General on the Registration of an Order on behalf of the said Mayor and Council but the same shall be added to the amount of the charge so registered in addition to the amount mentioned in the order.

8 The Registrar is hereby authorised to cancel any such registered charge upon satisfactory evidence that the same has been satisfied duly verified by a Justice of the Peace for the particular district in manner directed by the 40th Section of the Land Registry Act 1860. The amount so paid in satisfaction of such registered charge, shall be paid over by the Justice of the Peace so recovering the same to the Treasurer of Vancouver Island and its Dependencies if the same has been paid in respect of an open well in the rural districts of Vancouver Island, for the use of Her Majesty, her Heirs and Successors and in the event of the same being paid in in respect of an open Well within the Municipal Limits, the same amount shall be paid over to the Mayor and Council.

Read a 1st time, Above Amendments by the Honble. The Council.

The House then took up the Report of the Committee (yesterday) and agreed to the same.

Dr. Tolmie thereupon introduced "A Bill Entitled An Act to authorise the Governor to appropriate certain Moneys for the completion of a Dredging Machine and other instruments and appliances connected therewith" which was Read a first time.

The House then went into Committee upon "A Bill Entitled An Act to authorise the Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in the Mountain District, Vancouver Island."

Also "A Bill To incorporate the Israelite Congregation named 'The Emanuel of Victoria, Vancouver Island.' "

Mr. Speaker left the Chair.

Mr. Jackson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Bills had agreed to the same, respectively, without amendments.

Ordered That Report be received.

Ordered for tomorrow.

3rd Reading of "The Harewood Railway Co. (Lim.) Bill."

Also of "A Bill To incorporate the Israelite Congregation named 'The Emanuel of Victoria, Vancouver Island.' "

The House then adjourned till tomorrow.

Thursday, the 2nd day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, De Cosmos, Dennes, Duncan, Jackson, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excy. The Governor.

[No. 11]

Victoria
1st June 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to acknowledge the receipt of Your Speakers Communication dated 31st May 1864 forwarding A Resolution requesting me to lay before the Legislative Assembly, all the correspondence between the Lands and Works office and Contractors relating to the Dredge, Tug-boat and Punts, and to inform you, in reply that these Papers have been moved for and are now before the Legislative Council.

I have the honor to be,
Mr. Speaker and Gentlemen
Your most obedient Servant
(signed) A. E. Kennedy
Governor

Read a 2nd time and committed "A Bill Entitled An Act to authorise The Governor to appropriate certain Moneys for the completion of a Dredging Machine and other instruments and appliances connected therewith."

Read a 3rd time and passed "A Bill Entitled An Act to incorporate the Israelite Congregation named 'The Emanuel, of Victoria, Vancouver Island.' "

Also "A Bill Entitled An Act to authorise The Harewood Railway Company (Limited) to make a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields in Mountain District, Vancouver Island."

The House then took under consideration, Read a 2nd Time, and agreed to The Amendments by the Honble. The Council to "A Bill Entitled An Act to provide for the closing of Wells upon unenclosed Lands in Vancouver Island and its Dependencies."

The House then went into Committee of the whole upon "A Bill Entitled An Act to authorise The Governor to appropriate certain Moneys for the completion of a Dredging Machine, and other instruments and appliances connected therewith."

Mr. Speaker left the chair.

Mr. Jackson in the Chair of the Committee.

The Chairman reported that the Committee having had under consideration the above mentioned Bill had agreed to the same without Amendments.

On motion of Dr. Powell, seconded by Mr. De Cosmos The Standing Orders were suspended, and "A Bill Entitled An Act to authorise The Governor to

appropriate certain Moneys for the completion of a Dredging Machine and other instruments and Appliances connected therewith" was Read a 3rd time and passed.

Dr. Powell gave notice of Motion (M. B. fol. 73).⁸⁶

The House then adjourned till Tuesday next.

J. S. Helmcken
Speaker

Tuesday, the 7th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair, Drs. Trimble, Tolmie, Powell, and Messrs. Street, Franklin, De Cosmos, Duncan.

The last Minutes having been read and confirmed.

Dr. Trimble moved for a Writ for the election of a Member for the City of Victoria, vice Mr. W. A. G. Young, Colonial Secretary, resigned.

Agreed to.

Dr. Trimble as Chairman of the Committee on Crown Lands of the Colony presented to the House the Report of that Committee, and moved its adoption.

Mr. Dennes seconded.

Dr. Powell rose to a point of Order. He wished to know whether the Report had been regularly adopted. He did not consider a quorum to have been present when the question was put as he was about leaving the Room at that moment the only members remaining were Messrs. Dennes and Trimble. He had been asked to vote but stated he would not. He asked for Mr. Speaker's decision upon the point. Mr. Speaker after hearing several conflicting Statements from Members of the Committee, considered that the Minutes of the Proceedings would decide the point and, having duly examined them gave his opinion that the Report had been irregularly adopted—in as much the "Noes" had not been recorded. The Report should, therefore, be returned to the Committee—but only to decide whether the Report should be adopted by the Committee or not—and so correct the informality.

Dr. Trimble insisted upon his Resolution for the adoption of the Report by the House.

⁸⁶ Motion Book, p. 73: "I give notice that on Tuesday next, I will move that His Excellency The Governor be requested to appropriate the Sum of Twenty five hundred Dollars out of the General Revenue to the temporary Establishment of a common School in the City of Victoria and that this House pledges itself to grant the same."

Upon question that the decision of the Chair be supported, the House divided.

Ayes: 5.

Messrs. Powell
Tolmie
Street
Franklin
De Cosmos

Noes: 3.

Messrs. Trimble
Duncan
Dennes

The Report was then referred back to the Committee on Crown Lands of the Colony.

Dr. Powell, pursuant to notice, moved the following Resolution.

That His Excellency the Governor be requested to appropriate the sum of Twenty Five Hundred Dollars out of the General Revenue for the temporary Establishment of a Common School in the City of Victoria and that this House pledges itself to grant the same.

Mr. Speaker said the Resolution was informal in as much as it proposed a Grant which had not been initiated by Executive. He would, however, leave the question to the House.

Dr. Powell then asked the House to fix a day to go into Committee on above Resolution.

Ayes: 3.

Messrs. Powell
Franklin
and De Cosmos

Noes: 5.

Messrs. Trimble
Tolmie
Street
Duncan
Dennes

The Resolution was therefore lost.

The House then adjourned till Thursday next.

J. S. Helmcken

Thursday, the 9th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, Duncan, De Cosmos, Carswell, Franklin, Street, Foster and Drs. Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 12]

Vancouver's Island
Victoria, June 9th 1864To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

In return to Your Communication of the 31st Ultio. requesting that the House may be furnished with any papers in my possession having reference to the improvement of Victoria Harbour I have the honor to transmit the enclosed Papers, together with a Schedule of the same.⁸⁷

I have the honor to be,
Gentlemen,
your most obedient Servant
(sd.) A. E. Kennedy
Governor

Also A Communication from the Honble. The Council, giving cover to certain Amendments to "A Bill Entitled An Act to impose a Tax of One half of One per centum upon All real Estate within the City of Victoria and for other purposes relating thereto."

Clause 1, Line 3. After the word "the" insert the words "incorporated limits of the." Strike out the last line and a half and insert for the use of the corporation "of the City of Victoria."

Clause 2. Strike out the word "collect" and insert the word "receive."

Clause 3 Line 3. After the word "the" insert the word "final." Line 4. Strike out the words "this Act" and in lieu thereof insert the words "the real estate assessment Roll for said City."

Clause 5 Line 2. After the word "in" insert the words "the Government Gazette and in."

Clause 6. Add the following "Provided always that a Copy of the Municipal Assessment Roll made under the Provisions of the said Municipal By-law shall be furnished by the Municipality duly verified under the hand and seal of the Mayor and Corporation to the Treasurer within seven days from the passage of this Act detailing the persons who have and who have not paid the said Tax and the details of the property in the 'unknown List' in respect of which default and payment have been made."

Clause 7. Line 1. After the word "Act" strike out the rest of the Clause and, in lieu, insert the following Words "shall be paid over, as the Governor may from time to time direct to the Mayor and Council of the City of Victoria for Civic purposes."

After Clause 7, Insert the following clause.

It shall be lawful for the Governor of Vancouver Island for the time being to deduct from the Moneys collected under this Act, the amount for the time being advanced by the Treasurer to the Municipality or paid by the Treasurer in discharge of any indebtedness of the Municipality thereto for to be verified by the Treasurer and to place the Moneys so deducted to the credit of the General Revenue.

Read a 1st time, Above Amendments by the Honble. The Council.

The House then adjourned till tomorrow.

J. S. Helmcken

⁸⁷ Neither the papers nor the schedule are included in the minutes, nor are they attached to the original message Kennedy transmitted to the House.

Friday, the 10th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, De Cosmos, Duncan, Dennes, Street, and Dr. Powell, Trimble, Tolmie.

The last Minutes having been read and confirmed.

The House took under consideration The Amendments by The Honble. The Council, to "A Bill Entitled An Act to impose A Tax of One half of One per centum upon all real Estate within the City of Victoria and for other purposes relating thereto" which Amendments were agreed to seriatim with the exception of the Amendment in (v. R. f. 552) Section 3 Line 4, as follows, "Strike out the words 'this Act,' and in lieu thereof insert the words 'the Real Estate Assessment Roll for said City.'"

Upon question as to whether the foregoing Amendment be adopted or not, the House divided.

For the Amendment

Ayes: 1.

Mr. Duncan

Against the Amendment

Noes: 5.

Messrs. Franklin

Tolmie

Powell

De Cosmos

Trimble

The Amendment was therefore lost.

Upon question as to whether the Amendment (v. R. f. 552) be adopted "After Clause 7—Insert the following clause. It shall be lawful for the Governor of Vancouver Island for the time being, to deduct from the Moneys collected under this Act, the amount for the time being advanced by the Treasurer to the Municipality or paid by the Treasurer in discharge of any indebtedness of the municipality theretofor to be verified by the Treasurer, and to place the Moneys so deducted to the credit of the General Revenue"—The House divided.

For additional clause

Ayes: 7.

Messrs. Franklin

Duncan

Dennes

Powell

Street

Trimble

Tolmie

Against additional Clause

Noes: 1.

Mr. De Cosmos

Dr. Trimble from the Committee on the Crown Lands of the Colony presented to the House the Report of that Committee.

Mr. Duncan moved that Report be adopted.

Mr. Dennes seconded the Motion.

Mr. De Cosmos moved that the Report be referred back to the Crown Lands' Committee with the draft report, to bring in a new report.

Dr. Tolmie seconded the Motion.

Mr. Duncan then moved that the Debate be postponed till Monday.

Mr. Dennes seconded.

Carried.

Mr. Speaker then read a Communication from the Honble. The Council giving cover to certain Amendments to "A Bill Entitled An Act to alter and amend the Fireman's Protection Act, 1861."

Clause 1. To be struck out.

„ 2 To be struck out.

„ 4 Line 7. Insert the words "as hereinafter defined."

„ 6 To be struck out.

„ 8 Line 2 After the words "false certificate" insert "or certificate which has expired," Add the following Clause.

Provided always that no person liable by law to serve as a Juror shall be excluded from serving as such Juror by reason of being a Fireman Entitled to exemption under this Act.

Read a 1st Time The Preceding Amendmts. by The Honble. The Council.

Dr. Powell moved that the Standing Orders be suspended and the Amendments by the Honble. The Council to Firemans Protection Act, 1861 be read a 2nd time.

Mr. Street 2nded.

Agreed to.

Dissiente Mr. De Cosmos.

Section 1. Amendment carried.

„ 2. To be struck out—carried.

„ 4 Line 7. Insert the words "As hereinafter defined." Carried.

„ 6 To be struck out. Carried.

„ 8 Line 2 After the words "false certificate" "or certificate which has expired" add the following clause.

Provided always that no person liable by law to serve as a Juror shall be excluded from serving as such Juror by reason of being a Fireman entitled to exemption under this Act.

Carried.

Dissientiente Mr. De Cosmos.

Read a 2nd time and agreed to foregoing Amendments.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 13th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Street, Duncan, Dennes, Bayley, De Cosmos, Carswell, and Drs. Tolmie, Trimble, Powell.

The last Minutes having been read and confirmed.

Dr. Tolmie rose to correct certain mis-statements that had been made by the Reporters of the Public Journals, in reporting a Speech made by him in the Debate on the Crown Lands' Committee Report.

Mr. Franklin, from the Conference, reported that the Legislative Assembly, represented by Messrs. Franklin, Carswell, Duncan, Dennes had held a Conference with the Honble. The Legislative Council this day at 2 p. m. in the matter of "A Bill To authorise The Governor to appropriate certain Moneys for the completion of a Dredging Machine and other instruments and appliances connected therewith."

The Honble. The President of the Council stated that On referring to the Act of 1862 authorising a Loan of £40,000—he found that £22,000. were to be expended in Roads, and £18,000. on the Harbour. In the Bill which is the subject of the present Conference, the words "balance of £40,000." appear—and he presumed that the word "balance" applied to the unexpended portion of the £18,000.

Mr. Franklin, Manager, stated that such was the intention of the Bill.

The conference then took under consideration the Rejection by the Legislative Assembly of the Amendment by the Honble. The Council "Section 3, Line 4" &c. in the matter of "A Bill Entitled An Act to impose a Tax of one half of One per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto."

"Section 3" which based the taxation on the Municipal Roll of "1864" was amended by the Conference to "1863"—and it was agreed that Amended Bills should be sent down from the Honble. The Legislative Council to the Legislative Assembly, in the above cases.

Order of the Day.

The House then took under consideration the Report of the Crown-Lands' Committee. Adjourned Debate.⁸⁸

Dr. Powell moved the following Resolution.

That the Report be recommitted and the Committee be instructed to render a final Report at the next sitting of this House.

Seconded by Col. Foster.

Mr. De Cosmos obtained leave to withdraw his Resolution, in favor of Dr. Powell's.

⁸⁸ The following minute was crossed out by the clerk: "Dr. Trimble stated that the Committee had rejected the Report from Section 20, because it was not framed upon the Evidence." Cf. minutes for Wednesday, 15 June 1864, p. 143 below.

Upon Question "That Report be adopted" the House divided.

Ayes: 3.

Messrs. Trimble
Dennes
Duncan

Noes: 8.

Messrs. Tolmie
Franklin
Powell
Street
De Cosmos
Bayley
Carswell
Foster

The Motion was therefore lost.

Dr. Powells Amendment was then put.

For the Amendment

Ayes: 8.

Messrs. Tolmie
Franklin
Powell
Street
De Cosmos
Bayley
Carswell
Foster

Against the Amendment

Noes: 2.

Messrs. Trimble
and Dennes

Ordered That the Committee on Crown Lands meet at 11 a. m. tomorrow.

The House then adjourned till Wednesday next.

J. S. Helmcken
Speaker

Wednesday, the 15th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Powell, De Cosmos, Dennes, Duncan, and Dr. Trimble.

The last Minutes having been read and confirmed.

Mr. De Cosmos moved that the Paragraph, in the Minutes of Yesterdays Proceedings, particularising the speech of the Chairman of the Committee on Crown Lands, be erased.

Dr. Powell seconded.

Agreed to.

The House then took up and agreed to the Report of the Conference with the Honble. The Legislative Council in the matter of "A Bill Entitled An Act to authorise The Governor to appropriate certain Moneys for the completion of A Dredging Machine and other instruments and appliances connected therewith."

Also in the matter of "A Bill Entitled An Act to impose a Tax of One Half of One per centum upon all Real Estate within the City of Victoria and for other purposes connected therewith."

Dr. Trimble from the Committee on the Crown Lands of the Colony, begged leave to lay upon the Table of the House, the Report of that Committee together with the opinions observations & minutes of the Proceedings.

Dr. Powell seconded.

Agreed to—ordered to lie on table.

Mr. Duncan gave notice of Motion.⁸⁹

Mr. De Cosmos moved that the Report be considered in Committee of the whole tomorrow.

Dr. Powell seconded.

Agreed to.

The House then adjourned till tomorrow.

Speaker

Thursday, the 16th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, and Messrs. Street, Franklin, De Cosmos, Duncan, Dennes, Bayley.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 13]

Vancouver Island
Victoria 16th June 1864

To the Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to submit for the information of the Legislative Assembly the duplicate of a Despatch from Her Majesty's Secretary of State for the Colonies conveying instructions in reference to the disposal of a Lot of Crown Lands (marked Z) which has been frequently under the consideration of the Assembly.⁹⁰ This Despatch completes the series of correspondence already laid before the Assembly by my Predecessor.

I have the honor to be,
Gentlemen,
Your most obedient Servant
A. E. Kennedy
Governor

⁸⁹ "Mr. Duncan gave notice that he would move to-morrow (Thursday) that His Excellency be respectfully requested to appoint a commission with adequate powers to inquire into all matters in connection with the Crown Lands." *Colonist*, 16 June 1864.

⁹⁰ See Newcastle to Douglas, 16 March 1864, CO 410/1, pp. 451–453.

The House then went into Committee of the whole upon The Crown Lands Committee Report.

Mr. Speaker left the chair.

Dr. Powell in the chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the above mentioned Report begged to report Progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

Friday, the 17th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, De Cosmos, Street, Dennes, Duncan, Carswell, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read a Communication from The Honble. The Council giving cover to certain Amendments to "A Bill Entitled An Act for the Regulation of Electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages."

Clause 5 Line 22. After the word "jurisdiction" leave out the remainder of the clause.

Clause 10 Line 1. Strike out the words "Clerks and persons in the employ."

Clause 12 Line 7. Insert "such" after the word "Attorney."

Clause 13 To be struck out.

Clause 14 To be struck out.

Clause 15 To be struck out.

Clause 16 To be struck out.

Clause 17 To be struck out.

Clause 19 After the word "before" (in line 3) insert the words "two or more Justices of the Peace or a Stipendiary Magistrate" in lieu of the words "any Justice or Justices of the Peace."

Clause 19 Line 4 After the word "Justices" strike out the remainder of the clause and insert in lieu the following words "Or Stipendiary Magistrate are hereby authorised to deal with each case summarily or to commit the offender for trial."

Read a first time—Above Amendments.

Also Amendments by the Honble. The Council to "A Bill Entitled An Act to incorporate the Israelite Congregation named 'The Emanuel of Victoria, Vancouver Island.'"

After clause 1 Insert the following Clause.

Clause 2 "That a Copy of the Articles of Constitution aforesaid shall be deposited with the Colonial Secretary verified by the Signatures of the President

and Secretary of the said Congregation within 14 days from the passage of this Act and that a Copy of any Resolution in any wise altering or repealing any of the provisions of the said Constitution and verified in manner aforesaid shall be likewise deposited with the said Colonial Secretary within the time aforesaid."

Read a first time above Amendments.

The House then went into Committee of the whole upon the Report of The Crown Lands Committee.

Mr. Speaker left the Chair.

Dr. Powell in chair of Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Report begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Ordered For Monday next.

The Consideration of Amendments by the Honble. The Council to "A Bill for the Regulation of Electric Telegraphs."

Also, to "A Bill to incorporate the Congregation Emanuel."

The House then adjourned till Monday (20th).

Tuesday, the 21st day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Dennes, De Cosmos, Duncan, Street, Carswell, Drs. Trimble, Tolmie, and Col. Foster.

The last Minutes having been read and confirmed.

The House took under consideration certain Amendments by the Honble. The Council to "A Bill Entitled An Act for the regulation of electric Telegraphs within the Colony of Vancouver Island and to secure secrecy and fidelity in the transmission of Telegraphic Messages."

Read a 2nd time and agreed to (above Amendments).

Also, certain Amendments by the Honble. The Council, to "A Bill Entitled An Act to incorporate the Israelite Congregation named 'The Emanuel of Victoria Vancouver Island' " were Read a 2nd time and agreed to.

Order of the Day.

The House then went into Committee of the whole upon the Report of The Crown Lands' Committee.

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Report begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 23rd day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair, Drs. Trimble, Tolmie, Powell, Messrs. Carswell, De Cosmos, Franklin, Dennes, Duncan, and Col. Foster.

The last Minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole upon The Crown Lands' Committee Report.

Mr. Speaker left the chair.

Dr. Powell in the chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the above mentioned Report desired to report progress therein and asked leave to sit again.

Ordered That report be received and leave granted.

The House then adjourned till tomorrow.

Friday, the 24th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Duncan, De Cosmos, Dennes, Foster, De Cosmos, Carswell, and Drs. Powell, Trimble, Tolmie.

The last Minutes having been read and confirmed.

The House went into Committee of the whole upon The Report of the Committee on The Crown Lands of the Colony.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee, having had under consideration the above mentioned Report, begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Monday, the 27th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Duncan, Dennes, Carswell, De Cosmos, Drs. Trimble, Tolmie, Powell, and Col. Foster.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency The Governor.

[No. 14]

Vancouver Island
Victoria 27th June, 1864

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to transmit the Copy of a Despatch received from Her Majesty's Secretary of State for the Colonies in reply to the Resolution of the Legislative Assembly transmitted by my Predecessor in a Despatch dated the 12th February, 1864.

The House will observe on reference to the Estimates which they have passed for the year 1864, that provision has not been made for the Salaries of the following Officers, namely,

The Chief Justice
The Attorney General
The Colonial Treasurer
The Surveyor General

I have the honor to be,
Gentlemen,
Your very obedient Servant
(sd.) A. E. Kennedy
Governor

Enclosure

Vancouver Island
No. 2.

Downing Street
30th April, 1864

Sir,

I have received Sir James Douglas' Despatch No. 3 of the 12th February enclosing A Resolution of the House of Assembly of Vancouver Island in which the House declines to pass the Civil List Act proposed in the Duke of Newcastle's Despatch marked "Separate" of the 15th of June last. I regret that the House of Assembly did not feel able to concur in the proposals submitted to it on this Subject.

I am desirous however to prevent as far as possible the disappointment and inconvenience to Individuals which this decision might occasion.

It appears from the Resolution of the Assembly that the Crown Land Fund for the year 1863 amounted to £4,500. but that a considerable portion of this Sum consisted of the proceeds of Sales effected in former Years. There may be Sources of Revenue, such as fines and forfeitures, fees of office, the proceeds of which The Crown could justly appropriate, but in the absence of any precise information on this head, I can only authorise you to issue Warrants for the payment of the Salaries of the Governor and the Colonial Secretary at the respective Rates of £3000. and £600. per annum assigned to them by my Predecessor, out of any funds which may be under the direct control and at the disposal of the Crown.

It will of course rest with the Legislature to make provision for the remuneration of the other officers employed under the Government in

any way and from any source which may seem most appropriate to them.

Besides the Civil List, Sir James Douglas's Despatch raises a still larger and more important question, namely, the Union of the Colonies under one Governor, though with some distinct administrative Departments.

On this subject I am desirous of having the benefit of your views as you shall have acquired, on the spot, sufficient knowledge and experience to enable you to form your opinion and to supply reliable information for the assistance and guidance of Her Majesty's Government in considering the question. I shall, in like manner, ask Governor Seymour, to whom I shall communicate a Copy of this Despatch to furnish his views on the same matter, and I need scarcely say that it will not only be unobjectionable but highly desirable that you and he should consult freely on the subject, although it will be the most convenient course that ultimately each should report to me independently the conclusions which he may form on the subject.

I have &c.

(signed) Edward Cardwell

Governor Kennedy, C. B.

The House then went into Committee of the whole upon the Report of The Committee of Crown Lands.

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Report had adopted therein certain Resolutions embodied in an address to His Excellency the Governor, as follows.

To His Excellency, A. E. Kennedy, C. B.

Governor of Vancouver Island, &c. &c. &c.

May it please Your Excellency

We, Her Majesty's dutiful and loyal subjects, the House of Assembly of Vancouver Island in this present Session convened, have had under consideration the Crown Lands of the Colony with the object of determining the advisability of accepting the control of them in return for voting a Civil List mentioned in the Despatch of His Grace the Duke of Newcastle of June, 1863.

During our investigations we have learned the following facts and have formed the following opinions.

1. That the Hudson's Bay Company of England became possessed of all the Crown Lands of the Colony, without any exception by virtue of and under the conditions contained in a Royal Grant made on January 13th 1849, and, as Trustees of the Crown, they were bound by the Grant to sell the Crown Lands for colonisation purposes, and that the gross proceeds of the Sales after deducting therefrom one tenth for the special benefit and use of the Company, were to be devoted to the Colonisation and settlement of the Island.

2. That the Hudson's Bay Company have sold a part of the Crown Lands to divers persons for the purposes of Colonisation and settlement; that a part of the Crown Lands have been set apart as Reserves for Public Purposes; and that the title to the remaining portion of the Crown Lands is still vested in the Company in conformity with the conditions of the Grant of January 13th 1849.

3. That the Hudson's Bay Company are willing to convey back the unsold remainder of the Crown Lands, including certain Reserves for Public Purposes, to the Crown in accordance with the conditions of an Indenture made in London on February 3rd 1862 between Her Majesty and the Hudson's Bay Company.

4. That during the Investigations of this House into the condition of the Crown Lands, it has learned that the Hudson's Bay Company have sold portions of Sections 18, and 32, and hold Section 31 (all of Victoria District) with portions of Sections 18 and 32 as their private property; that the approximate Sum of money

received for Sales in Sections 18 and 32 is \$426,237. and that the approximate value of the property still held by the Company as their private property in Sections 18, 31, and 32 is \$339,200. making the total amount of the Sales and the value of the property in these Sections still in possession of the Company \$765,437.; and it appears that not one farthing has been paid by the Company for the said Sections 18, 31, and 32; that the Company have not accounted to the Colonial Trust Fund for the said \$426,237. or for the said property valued at \$339,200. and that by the conditions of the Royal Grant of January 13th 1849, the Company were bound to account to Her Majesty for the property known as Sections 18, 31, and 32, aforesaid and the sales thereof in the same manner as for other portions of the Crown Lands.

5 That by virtue of the said Indenture of February 3rd 1862, it is proposed to allow the Hudson's Bay Company to remain in undisputed possession of the said \$426,237 in sales, and the said \$339,200 in property, and further that it is proposed in the said Indenture to convey away all the water frontage in Victoria Harbour, and Cadboro' Bay, fronting on land sold or held by the Company abutting on the water of Victoria Harbour and Cadboro Bay, and that the said water frontage may be stated on an approximate estimate to be worth \$500,000.

6. That if the said Indenture of February 3rd 1862 be not annulled the Crown will lose the vast Sum of \$1,265,437. or thereabouts in money and property, less one tenth of the aforesaid \$426,237.

7 That if the said Indenture of February 3rd, 1862, be annulled and a settlement made between the Crown and the Hudsons Bay Company on the conditions of the Royal Grant of January 13th 1849, that is to say by crediting the Company with the value of their Establishments in the Colony on the expiry of the Royal License of exclusive Trade with the Indians on the North West Coast of America which terminated on May 30th 1859, and also by crediting the Company with the advances made by them for colonising the Island, there would, in all probability be a Balance which the Company would be bound to account for to the Crown of about \$1,000,000. in money and property.

8 That in the opinion of this House there is no good and sufficient reason to justify a Settlement between the Crown and the Hudsons Bay Company on the conditions set forth in said Indenture of February 3rd 1862.

9. That in the opinion of this House, the said Indenture of February 3rd 1862 ought to be annulled and a settlement made between the Crown and Hudsons Bay Company in conformity with the conditions of the Royal Grant of January 13th 1849.

10. That, in the opinion of this House if a final Settlement be made between the Crown and the Hudsons Bay Company on the conditions set forth in the said Indenture of February 3rd 1862, not only will there be a serious injury done to the finances of the Colony materially affecting the proposition of His Grace the Duke of Newcastle, but that Her Majestys Government will sustain a serious loss in the sums already paid out of the Imperial Treasury to the Company for the Colonisation of the Island which, in the opinion of this House, would be restored if a settlement were made between the Crown and Company on the conditions of the Grant of January 13th 1849.

11. That, in the opinion of this House, Your Excellency ought to impress on Her Majesty's Government the necessity that exists for annulling the said Indenture of February 3rd 1862, in order to make a Settlement between the Crown and Company in conformity with the conditions of the Royal Grant of January 1849, and furthermore that Your Excellency ought on behalf of the Crown to appoint a Commission empowered to administer oaths and send for persons and papers to enquire into the Sums of money expended specially and essentially by the Company for colonising this Island in accordance with the Royal Grant of 1849 and furthermore to enquire whether any Sales of land in the said Sections 18, 31, and 32, have been made by the Company since January 1st 1862; and furthermore to determine what lands of this Colony and the value thereof have been lawfully sold by the Company, and to learn the amount of money deducted from the gross proceeds of such sales by the Company as the tenth allowed to them in the Royal Grant of 1849.

12. That, in the opinion of this House, no attempt should be made to disturb third parties in the possession of Lands derived from the Hudson's Bay Company

except such lands be part of existing Public Reserves lawfully made in accordance with the Royal Grant of 1849 and even in the latter case no attempt should be made to disturb third parties in the possession of such Lands except great public inconvenience would probably arise therefrom, and in case the Hudsons Bay Company have sold illegally or by mistake parts of public Reserves they should be made to restore such portions or indemnify the Crown to the value thereof as the public interest may require.

13. That, in the opinion of this House, Your Excellency ought to take all and every such measures either by sending one or more Agents to England to lay the condition of the Crown Lands before Her Majesty's Government or the Imperial Parliament or both, or by employing able Counsel in England to take proceedings to annul the said Indenture of February 3rd 1862 and bring about a speedy settlement between the Crown and Hudson's Bay Company on the conditions of the Royal Grant of 1849.

14. That in the opinion of this House, Your Excellency should stop all proceedings now pending to confirm the Hudson's Bay Company in possession, as their private property, of any portion of Sections 18, 31, and 32, aforesaid, till such time as the measures hereinbefore or hereinafter mentioned shall be taken and shall have been finally concluded.

15 That in the opinion of this House Your Excellency ought not to take any Steps to confirm Mr. Leopold Löwenberg in the possession of Section Z of James Bay Government Reserve; but that it should be held as part of the original ten Acres reserved for the Crown as an Indian Reserve in 1854 of which the Hudsons Bay Company received due notice in a letter dated September 15th [1st] 1854 addressed by Mr. J. D. Pemberton, Surveyor General to A. Barclay, Esqre., Secretary of the Hudson's Bay Company;⁹¹ and for the further reason that Mr. D. McTavish in a letter dated Victoria V. I. 21st January 1863 addressed to Thomas Fraser Esqre. Secretary of the Hudson's Bay Company, stated that it was proposed by the Company to convey to the Crown ten Acres in the said "Government Buildings" or "James Bay Government Reserve;" whereas if the said Section Z be confirmed to Mr. Leopold Lowenberg the original Reserve of Ten Acres proposed by Mr. McTavish to be conveyed to the Crown will be diminished by the Area of said Section Z; and, furthermore it is our wish that Your Excellency may be pleased to communicate this our opinion to Her Majesty's Principal Secretary of State for the Colonies before taking any steps to confirm Mr. Leopold Lowenberg in the possession of Section Z in accordance with the instructions in the Despatch of His Grace the Duke of Newcastle, dated March 16, 1864.

16 That in the opinion of this House, Your Excellency should take such measures as may for ever prevent the Church Reserve in the City of Victoria from being let out in lots or covered with private Residences, or business places of any kind in order that it may be for ever preserved as a public Square.

We, the House of Assembly in Vancouver Island, would therefore humbly pray that Your Excellency may be pleased to take the facts and opinions hereinbefore set forth into Your earnest consideration, and appoint such a Commission and for such purposes as are hereinbefore stated, and that Your Excellency may be pleased to take such other measures as are hereinbefore mentioned and any other means that may from time to time appear expedient to Your Excellency to annul the said Indenture of February 3rd 1862, and bring about a final Settlement between the Crown and Hudsons Bay Company on the basis of the conditions of the Royal Grant of January 13th 1849 and secure a speedy reconveyance of the Island by the Company to the Crown.

And as in duty bound
We will ever pray &c. &c. &c.

House of Assembly
Victoria, V. I.
27 June, 1864

Ordered That Report be received.

⁹¹ Hudson's Bay Company, Land Office, Victoria, Correspondence Outward, 1851-1858, PABC. See also *Papers in Connection with Crown Lands in British Columbia and the Title of the Hudson's Bay Company* (Victoria: Government Printing Office, 1881).

On motion of Mr. Duncan The Standing Orders were suspended, in order to expedite the adoption of the foregoing Resolutions.

Mr. De Cosmos moved that the foregoing Resolutions embodied in an Address to His Excellency the Governor, be adopted.

Mr. Dennes seconded.

Question (for adoption of Resolutions).

Ayes: 6.

Messrs. Franklin
Duncan
Dennes
Carswell
Trimble
De Cosmos

Noes: 2.

Drs. Tolmie
Helmcken

The Resolutions were therefore carried.

Mr. De Cosmos gave Notice of Motion.⁹²

Wednesday, the 29th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair, Messrs. Franklin, Carswell, Duncan, De Cosmos, Dennes, and Drs. Trimble, Powell.

The last Minutes having been read and confirmed.

Mr. De Cosmos rose to a question of privilege; to correct certain mis-statements which had been made by the Reporters of the public Journals in their Reports of the Speech he had made in the debate upon the Report of the Committee upon The Crown Lands of the Colony.

Dr. Trimble Chairman of the Committee upon The Crown Lands of the Colony referred to Mr. Speaker certain Accounts that had been presented by Witnesses for attending to give Evidence on the Crown Lands Committee.

Mr. Speaker ruled that where Witnesses are resident near House of Assembly, they are not entitled to received pay.

Mr. De Cosmos, pursuant to notice, moved that the Report of the Crown Lands Committee with the address to His Excellency the Governor be printed.

Dr. Trimble seconded.

Mr. Dennes moved an Amendment that the Evidence and minutes of the proceedings of the Committee be also printed.⁹³

Mr. Franklin seconded.

⁹² *Colonist*, 28 June 1864: "Mr. De Cosmos moved the report be printed."

⁹³ See *Minutes of Proceedings of a Select Committee of the House of Assembly . . . and Report of the Committee on Crown Lands, Vancouver Island* [Victoria: 1864].

Question "For the Amendment."

Ayes: 3.

Messrs. Trimble
Franklin
Dennes

Noes: 3.

Messrs. Duncan
Carswell
De Cosmos

Mr. Speaker gave his casting vote in favor of the Amendment.

The House then went into Committee of the whole upon A Communication received from His Excellency The Governor, dated 27th Inst. enclosing A Despatch ("No. 2"—Downing Street, 30th April) from Her Majesty's Principal Secretary of State for the Colonies, upon the subject of the Absence of Provision in the Estimates for the Salaries of the Chief Justice, Attorney General, Colonial Treasurer, and Surveyor General.

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Communication from His Excellency the Governor had, therein, agreed to the following Resolutions.

1 That this House is of opinion that the Salaries mentioned should be paid, as heretofore, out of the Crown Revenues, and would recommend that course.

2 That this House has not refused to vote those Salaries during the present Session, but only acted according to precedent; the House never having voted a Civil List, but only a proposition for one.

Ordered That Report be received.

Upon motion of Mr. De Cosmos seconded by Mr. Duncan, The Standing Orders were suspended, and The Resolutions above mentioned were agreed to unanimously.

The House then adjourned till tomorrow.

Thursday, the 30th day of June, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, and Messrs. Franklin, De Cosmos, Carswell, Duncan.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

[No. 15]

Vancouver Island
Victoria 30th June, 1864

To the Honorable The Speaker and Members of the Legislative Assembly
Gentlemen,

I have received by the hands of your Speaker the Copy of Resolutions in reply to a Communication which I had the honor to make to the Legislative Assembly on the 27th Instant, transmitting the Copy of a Despatch from Her Majesty's Secretary of State for the Colonies No. 2 dated 30th April 1864.

The Legislative Assembly in reply to that communication resolve "That this House is of opinion that the Salaries mentioned (namely the Chief Justice, Attorney General, Treasurer and Surveyor General) should be paid, as heretofore, out of the Crown Revenues and would recommend that course."

The terms of the Despatch of the Secretary of State which you have had under consideration unfortunately prohibit me from adopting that recommendation, and clearly point out that the Salaries of the Governor and Colonial Secretary only are chargeable to that fund.

It is therefore obvious that unless the Legislature make provision for the remuneration of the remaining Officers of the Government from some other source, as pointed out by the fourth paragraph of the Secretary of State's Despatch, their Salaries must cease and a question will then arise as to the authority under which they have received Salary since the 1st January, 1864.

I have the honor to be,
Gentlemen,
Your very obedient Servant
(signed) A. E. Kennedy,
Governor

Mr. Franklin moved "That the House go into Committee of whole, to-morrow—upon the before mentioned Communication."

Dr. Tolmie seconded.

Mr. De Cosmos moved an Amendment "That the Standing Orders be suspended, and the House go into Committee upon His Excellency's Communication, this day."

Dr. Trimble seconded.

The House then divided.

Question. For Mr. Franklin's motion.

Against the Motion.

Ayes: 4.

Noes: 3.

Messrs. Franklin

Messrs. Trimble

Tolmie

De Cosmos

Duncan

Powell

Carswell

The Motion was therefore Carried.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 1st day of July, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Col. Foster, and Messrs. Franklin, Duncan, Dennes, De Cosmos, Carswell.

The last Minutes having been read and confirmed.

The House went into Committee of the whole upon a Communication from His Excellency the Governor, received yesterday, in reply to certain Resolutions transmitted by the Legislative Assembly to His Excellency on the 29th Ultio.—in reference to Despatch "No. 2" dated "Downing Street, 30th April 1864"

from The Right Honble. The Secretary of State for the Colonies to His Excellency Governor Kennedy.

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair, the Committee having referred to him a question of Order which had been raised by Mr. De Cosmos, as to whether or not it would be compatible with Precedent and with the Standing Orders of this House, to vote Salaries for the Government officers specified in His Excellency's Communication, those Salaries having already been disposed of and settled, during the present Session, when the Civil List was under consideration of the House.

Mr. Speaker ruled that the question could not be brought up again during the present Session.

The House then went into Committee of the whole upon The Communication of His Excellency the Governor (aforesaid).

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the aforesaid Communication of His Excellency the Governor begged to report progress therein and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. De Cosmos moved "That 'the Standing Orders' be suspended, and the House be ordered to meet tomorrow (Saturday) at 3 p. m."

The House divided.

Question.

(for Mr. De Cosmos's Motion)

(against the Motion)

Ayes: 3.

Noes: 1.

Messrs. De Cosmos

Mr. Franklin

Trimble

Dennes

Ordered That the House meet tomorrow at 3 p. m.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Saturday, the 2nd day of July, 1864

Extra-ordinary Session

The House met this day at 3 p. m. pursuant to adjournment, and in obedience to the Order of the House made yesterday.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Duncan, Dennes, Street, Carswell, Franklin, and Drs. Tolmie, Trimble, Powell.

The last Minutes having been read and confirmed.

The House went into Committee of the whole upon A Communication received from His Excellency the Governor dated 30th June 1864, in reply to certain Resolutions passed by the Legislative Assembly on the 29th Inst. upon the subject of the absence of Provision in the Estimates for the Salaries of the Chief Justice, Attorney General, Colonial Treasurer and Surveyor General.

Mr. Speaker left the Chair.

Mr. Dennes in the chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Communication from His Excellency The Governor had Resolved That this House after having had the Message of His Excellency the Governor of June 30th under consideration is of the opinion:

1 That the question of voting Salaries for the Chief Justice, Attorney General, Colonial Treasurer, and Surveyor General, cannot, in accordance with the established usage of this House, be entertained again in the present Session, in as much as this House has already expressed an opinion on the subject.

2 That this House is still impressed with the opinion that the present Crown Revenues, pending their acceptance by the Colony in return for the Civil List, should, as heretofore, bear the entire burden of the Civil List; but inasmuch as Her Majesty's Principal Secretary of State for the Colonies in his Despatch of April 30th, 1864, only authorises His Excellency the Governor to pay out of the Crown revenue the Salaries of the Governor and Colonial Secretary; and as His Excellency the Governor does not deem himself empowered to issue his Warrant for the payment of the Salaries of the Chief Justice, Attorney General, Colonial Treasurer, and Surveyor General out of the Crown Revenues; and as great public and individual inconvenience or injury may arise from the nonpayment of the Salaries of these officials, this House hereby pledges itself to indemnify His Excellency the Governor in case he shall take the responsibility of paying the said Salaries out of the Crown Revenues while awaiting further instructions from Her Majesty's Government.

3 That in case His Excellency the Governor shall not consider himself justified in paying the Salaries of the Chief Justice, Attorney General, Colonial Treasurer, and Surveyor General, out of the Crown Revenues on the pledge of indemnity of this House, or in the case the Crown Revenues from any cause be insufficient for that purpose, this House recommends His Excellency the Governor to issue his warrant for the payment of the whole or part of the said Salaries out of the General Revenue whilst awaiting further instructions from Her Majesty's Government on this subject, and an answer on the question of a joint Civil List with British Columbia; and in case His Excellency the Governor shall issue his Warrant for the payment of the whole or part of the said Salaries out of the General Revenue, this House hereby pledges itself to indemnify him for so doing.

4 That this House wishes it to be distinctly understood that the pledges herein given, and the recommendation to use the General Revenue are not to be construed to mean an intention on its part to make the General Revenue permanently liable for the Civil List of the Colony either on the terms of the Despatch of [15] June, 1863, or on the conditions set forth in the Despatch of April 30, 1864; but that the intention of this House is merely to afford temporary aid to the Executive in the present Exigency.

5. That with regard to the Salaries paid since the 1st day of Jany. 1864, the House is of opinion that they have been paid according to precedent out of the Crown Revenues—those officers having always been considered Crown officers, and that such a course is consonant with the views of this House.

6. That His Excellency be respectfully requested on the part of this House to urge upon Her Majesty's Government the necessity that exists for continuing to pay the Crown Officers out of the Crown Revenues as heretofore.

Ordered That Report be received, and agreed to.

On the motion of Mr. Duncan Seconded by Mr. De Cosmos The Standing Orders were suspended and the foregoing Resolutions were adopted.

The House then adjourned at the Call of Mr. Speaker.

Friday, the 8th day of July, 1864

The House met this day at 12.45 p. m. at the call of Mr. Speaker.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Dennes, Duncan, Carswell, Street, Jackson, Franklin, Drs. Tolmie, Trimble, Powell, and Col. Foster.

The last minutes having been read and confirmed.

Mr. Speaker read the Writ of Election for the District of the City of Victoria returning two Members viz.: Mr. Charles Bedford Young and Mr. George Cruikshank [Cruikshank] (by a tie-vote) in the place of Mr. W. A. G. Young Colonial Secretary resigned.

Mr. Speaker suggested that it would be advisable to postpone the Settlement of the question until the next Session of the House.

Agreed to unanimously.

A Summons then came from His Excellency The Governor, by Mr. Nesbitt, Clerk of the Honble. The Legislative Council.

Mr. Speaker—The Governor desires this Honorable House to attend His Excellency forthwith in the Legislative Council Chamber.

Mr. Speaker, with the House went up to attend his Excellency accordingly.

His Excellency The Governor then addressed both Houses of the Legislature as follows.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly

1. The State of the Public Business enables me to release you from further attendance and bring this protracted Session to a close.

2. Questions materially affecting the progress of the Colony must come before you at an early period on which I would invite you to acquaint yourselves with the opinions of your constituents prior to the re-assembling of the Legislature.

3. The first and most important of these questions is the proposed Union of British Columbia and Vancouver Island under one Government.

4. As this object can only be obtained with the previous concurrence of the Legislatures of both Colonies, the Course adopted by the Legislative Assembly of Vancouver Island in February last has delayed the consideration of it.

5. The conditions attached to the proposal then Submitted to Her Majesty's Secretary of State for the Colonies were such as could not, in my opinion be accepted by the Sister Colony, or entertained by Her Majesty's Government.

6. Such a Union to be beneficial and lasting must be effected on a basis both practical and equitable. Like all other Unions I apprehend that mutual concessions will be required and personal predilections and prejudices must be laid aside.

7. If on examination it be found that such a Union is in favor with the people of this or both Colonies, and will conduce to their honor and prosperity, it will receive my disinterested and hearty support. I have no doubt that the question fairly put before the Public will be considered with the calmness and moderation becoming so grave a subject.

8. Unreasonable demands and pretensions can but raise new difficulties between two Colonies whose best interests, whether under one or separate Governments are bound up together.

9. A question of scarcely less importance is the acceptance and disposal of the Crown Lands and Revenue of Vancouver Island; while this question remains unsettled, the survey, leasing, sale, and general management of public lands, must be left in their present very unsatisfactory state, to the serious detriment of the best interests of this Colony.

10. The Course which has been taken in reference to the proposal of the Secretary of State for the Colonies for a permanent Civil List has resulted in delay and embarrassment.

11. That this Colony has ample resources to provide for its own Government on a becoming Scale cannot be doubted, and I feel confident that the people, if appealed to, will cheerfully accede to a provision for the public servants commensurate with the responsibilities and duties of their respective positions.

12. The important subject of emigration must be left untouched while the possession and disposal of the Crown Lands remain unsettled. A Colony without a fixed population cannot be permanently prosperous.

13. I have deferred acknowledging the receipt of the Resolutions adopted by the Legislative Assembly on the subject of Crown Lands, waiting the receipt of the Evidence and Report upon which they are founded and without which I am unable to decide upon the course best calculated to give effect to the views of the House.

14. The House may be assured that I will deal justly and impartially with the subject, as far as it lies within my jurisdiction.

15. I will direct my earnest attention to the economical application of the Supplies you have granted for the current Year, to secure the attainment of the objects for which they were voted.

16. I am happy to assure you of the peace, prosperity, and order which prevail throughout the Colony. The absence of pauperism and serious crime are subjects of solid congratulation.

17. I find that the following Acts passed during the Session received the Assent of my Predecessor on behalf of Her Majesty.

The Mayor and Council of Victoria Indemnity Act 1863.

The Victoria Pilot Act 1864.

The Provisional Act for the Election of Mayor and Councillors, 1863.

The Chief Justices Pension Act, 1864.

The first Telegraph Act, 1864.

The Governors Indemnity Act, 1864.

An Act to apply the Sum of \$257,279.00 out of the General Revenue of the Colony of Vancouver Island to the Service of the Year, 1864.

18. I have assented in Her Majesty's name to the following Acts passed during the Session, viz.:

The Bridges Protection Act, 1864.

An Act to repeal the Vancouver Island Stamp Act, 1862.

The Bank Note Act, 1864.

The Banking Act, 1864.

An Act to apply the Sum of Twenty Six thousand dollars (\$26,000.00) out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year, 1864.

An Act to grant a Supplementary Supply of (\$19,804.28) Nineteen thousand eight hundred and four dollars and twenty eight cents, for the Service of the Year 1863.

An Act to provide for the closing of Wells upon unenclosed lands in Vancouver Island and its Dependencies.

The Telegraph Regulation Act, 1864.

The Fireman's Act, 1864.

The Harewood Railway Company Act, 1864.

The Congregation Emanuel of Victoria Incorporation Act.

The Governor's Victoria City Aid Act, 1864.

The Victoria City Half per cent Tax Act, 1864.

The Supplementary Supply Act, No. 4, 1864.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly

19. I now in Her Majesty's name prorogue this Council and Assembly and they are hereby prorogued accordingly, until Monday the 3rd October next.

**THIRD HOUSE OF ASSEMBLY
EXTRAORDINARY SESSION**

MINUTES OF THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND—EXTRAORDINARY SESSION

Saturday, the 20th day of August, 1864¹

The House met this day at 1 p.m. pursuant to A Proclamation by His Excellency the Governor bearing date the 15th day of August, one thousand Eight Hundred and Sixty four.

Present: Mr. Speaker, Messrs. Street, Duncan, Dennes, Bayley, Franklin, Carswell, De Cosmos, and Dr. Trimble.

A Summons to attend His Excellency was delivered by Mr. Nesbitt Clerk of the Honble. the Council.

"Mr. Speaker, The Governor desires this Honble. House to attend His Excellency forthwith in the Legislative Council Chamber."

Mr. Speaker, with the Members of the House went up accordingly to attend His Excellency, who addressed both Houses of the Legislature as follows.

Honble. Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly

The discovery of a Gold-field within the last few weeks having so much altered the circumstances & enlarged the prospects of this Colony, I have deemed it my duty to call you together to aid me with your advice. It is unnecessary for me to recapitulate to the Legislature already so well informed on the subject the position in which the Crown Lands & Crown Revenue of the Colony now stand, and I feel confident that you will concur with me in the opinion that under the altered prospects of the Colony it is anomalous and inexpedient that it should be continued.

The management of Crown Lands & the Expenditure of Crown Revenue freed from the control of the Legislature is a responsibility I do not desire to incur unless devolving upon me as a necessary duty.

The Mining interests bid fair to rival any other in importance and the Colonial Legislature is, in my opinion, the proper power to frame laws and regulations for their development and guidance.

The adoption of any other course must, I fear lead to complications which may prove detrimental to the best interests of the Colony.

A large number of Miners have already taken out Licenses and registered their claims & the number being daily on the increase, I desire if possible to have the advice and assistance of the Legislature in framing wise and just laws for their encouragement and protection.

The Rules and Regulations now in force have been issued subject to modification or alteration pending the enactment of permanent Laws. Intended to meet an emergency & as a preliminary protection to Miners only they are manifestly inadequate to the rapidly increasing importance of the subject.

There are doubtless difficulties in the way of a prompt Adjustment of this question, but none so formidable that they cannot be surmounted by the cordial co-operation of the Legislature and the Executive which it is no less my desire than duty to afford.

¹ On 8 July 1864, Governor Kennedy prorogued the House until 3 October, but decided to summon it earlier when gold was discovered on Sooke River. This action was challenged by the House inasmuch as the required fourteen days' notice had not been given. Kennedy therefore issued a new proclamation on 27 August revoking his previous order and directing the House to reconvene on 12 September.

The unforeseen necessity which has compelled me to require your attendance at this unexpectedly early period will prevent me bringing other measures of importance under your immediate consideration—but there is one which I think the public interests require to be settled without unnecessary delay, that of reunion with the Colony of British Columbia. The prolonged agitation of this question cannot fail to aggravate any evils which are alleged to have resulted from separation, and interpose obstacles to its calm consideration hereafter.

The Union or separation of these Colonies is a matter of secondary importance to the maintenance of a cordial co-operation and good understanding between them, and it is therefore I think incumbent upon the people through their representatives to set this matter at rest for the present.

Gentlemen of the Legislative Assembly

The financial condition of the Colony will require your consideration. Being contingent upon the decision of the Legislature on the subject of Crown Lands and Revenue it will be brought under your consideration in a specific form.

The Blue-Book for 1863 being the first compiled for this Colony will be laid before you.

Honourable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly

I have now to commit these important questions for your consideration with an earnest prayer that your deliberations may be conducive to the honor of our Sovereign and the prosperity of her Subjects whose interests are in your keeping.

The Legislative Assembly being returned, Mr. Speaker read the Speech of His Excellency the Governor.

Mr. De Cosmos moved the 1st Reading (pro formâ) of "A Bill Entitled An Act respecting Barristers and Attorneys."

2nd by Mr. Franklin and Agreed to.

Ordered for next meeting, 2nd Reading of above Bill.

Mr. De Cosmos moved "that A Committee be appointed to draft an Address to His Excellency the Governor in reply to His Excellency's Speech."

Agreed to.

Mr. Speaker appointed the following Committee: Messrs. De Cosmos, Street, Franklin.

Ordered that Committee report on Monday next.

Mr. Duncan gave Notice (for 29th Inst.) of Motion for a Committee "to enquire into the State of the Probate Court."

The House then adjourned till Monday next.

Speaker.

Monday, the 22nd day of August, 1864

Present: Mr. Speaker and Mr. Dennes.

A Quorum not being present the House did not sit.

Tuesday, the 23rd day of August, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Dennes, Duncan, Franklin, Carswell, Street, and Dr. Trimble.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor with enclosure from the Right Honble. the Secretary of State for the Colonies in the matter of the Resolution passed by the Legislative Assembly representing the necessity of appointing a Barrister-at-law from England to fill the office of Chief Justice of Vancouver Island.

No. 16.

Vancouver Island
Victoria 22nd Aug. 1864

To The Honble. the Speaker and Members of the Legislative Assembly.
Gentlemen

I have the honor to transmit the reply of H. M. Principal Secretary of State for the Colonies² to a Despatch of my Predecessor enclosing a Copy of a Resolution of the Legislative Assembly representing the necessity of appointing A Barrister from England to fill the office of Chief Justice of Vancouver Island.

I have the honor to be,
Gentlemen,
Your very obedient Servant,
(signed) A. E. Kennedy
Governor.

Also (No. 17) from His Excellency,³ transmitting copies of two Despatches from the Rt. Honble. the Secretary of State for the Colonies on the subject of the proposed Telegraph connecting Victoria with the U.S. of America & granting exclusive rights and privileges to the California State Telegraph Co.

Also (No. 18) from His Excellency⁴ transmitting a further Despatch from the Rt. Honble. the Secretary of State for the Colonies (dated 11 July 1864) on the same subject.

Mr. De Cosmos fm. the Select Committee appointed to draft an address in reply to H. Excy.'s Speech brought up the Report of that Committee.

Mr. De Cosmos then moved the following Resolution.

Whereas the Statute 37. Geo. III Cap. 127 in force in this Colony requires that not less than 14 days' notice be given of the Assembling of Parliament and Whereas the Parliament of this Colony has been assembled after giving

² Cardwell to Kennedy, 12 May 1864, Great Britain, Public Record Office, CO 410/1, 460.

³ Kennedy to Speaker and Members of Legislative Assembly, 22 August 1864, Vancouver Island, Governor, Correspondence Outward, 2 April 1864 to 3 August 1866, Messages to House of Assembly, PABC (cited hereafter as Messages to House), transmitting dispatches Nos. 8 and 9, 1 June 1864.

⁴ Messages to House, 23 August 1864.

less than 14 days notice⁵—and Whereas there are grave reasons to suppose that in consequence of the requisite notice not being given the validity of any Acts of this House may be called in question. Resolved therefore that this House is of opinion that it is not expedient to transact any public business, till such time as the Parliament of this Colony shall be assembled in accordance with the time of notice prescribed by the Statute aforesaid.

Mr. Carswell seconded.

Mr. Franklin moved in Amendment “that the question of the meeting of this Legislature after a notice of four days be referred to a Committee.”

Mr. Dennes moved in Amendment “that the question be referred to a Committee of the whole.”

Mr. Street seconded.

The Question was then put as between the Amendment of Mr. Franklin & the Amendment of Mr. Dennes.

For Mr. Franklin’s motion

Ayes: 2.

Messrs. Franklin
Trimble

Noes: 4.

Messrs. Street
Dennes
Carswell
De Cosmos

Mr. Franklins Amendmt. was therefore lost.

The question was then put as between Mr. Dennes’s Amendment and Mr. De Cosmos’s Resolutions.

For Mr. De Cosmos’ Resolutions

Ayes: 4.

Messrs. Street
Carswell
Dennes
De Cosmos

Noes: 2

Messrs. Franklin
Trimble

Mr. De Cosmos’s Resolutions were therefore carried.

Mr. De Cosmos moved that a Committee be appointed to draft an Address to His Excy. the Governor embodying the foregoing Resolutions.

Mr. Franklin moved in amendment “that the Resolutions be transmitted to the Governor, this day 6 months.”

⁵ An Act to Shorten the Time Now Required for Giving Notice of the Royal Intention of His Majesty, His Heirs and Successors, That the Parliament Shall Meet and Be Holden for the Dispatch of Business; and More Effectually to Provide for the Meeting of Parliament in the Case of a Demise of the Crown, 1797, 37 Geo. 3, c. 127, s. 1: “Whereas it is expedient to shorten the time now required for giving notice of the Royal Intention of His Majesty, his Heirs or Successors, that the Parliament shall meet and be holden for the Dispatch of Business; be it therefore enacted . . . that Parliament shall meet and be holden for the Dispatch of Business on any Day being not less than fourteen Days from the Date of such Proclamation, the same shall be a full and sufficient Notice to all Persons whatever of such the Royal Intention of his Majesty, his Heirs and Successors. . . .”

Question, For Mr. Franklins Amendmt.

Ayes: 4.

Messrs. Franklin
Trimble
Duncan
Dennes

Noes: 3.

Messrs. Street
Carswell
De Cosmos

The Amendment was therefore carried.

The House then went into Committee of the whole upon the report of the Select Committee appointed to draft An Address in reply to His Excellency the Governor's Speech.

Mr. Speaker left the Chair.

Mr. Dennes in the chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the foregoing draft of An Address begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

Mr. Dennes gave Notice of Motion.⁶

The House then adjourned till tomorrow.

Wednesday, the 24th day of August, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Carswell, Dennes, Street, Franklin, and Dr. Trimble.

The last Minutes having been read, the House divided on motion by Mr. De Cosmos Seconded by Mr. Street "That the Minutes be confirmed."

Question.

Ayes: 3.

Messrs. De Cosmos
Street
Carswell

Noes: 3.

Messrs. Franklin
Dennes
Trimble

Mr. Speaker gave his casting vote in favor of confirming the Minutes.

Mr. De Cosmos asked Mr. Speaker whether the two Gentlemen who had been elected by a tie-vote for the City of Victoria, vice Mr. W. A. G. Young Colonial Secretary resigned were entitled to sit within the Bar of the House.

Mr. Speaker replied that those Gentlemen could take their Seats within the Bar of the House but could not vote.

⁶ Motion Book, p. 75: "I give Notice that I shall on Friday next ask leave to introduce A Bill for the more easy recovery of small debts and demands in the Colony of Vancouver Island."

Mr. Franklin rose to a question of Order—his Honble. Colleague (Mr. De Cosmos) had risen yesterday to introduce a Subject of which Notice had not been given. That subject was treated as one of privilege but had afterwards taken the shape of a motion & ended in Resolutions being allowed to pass as the deliberate vote of the House.

Mr. Speaker said that he had yesterday pointed out to the House the issue raised by Mr. Franklin's question; that objections should then have been made—it was too late to make them now.

Dr. Trimble asked the Chair whether or not it was Parliamentary to rescind Resolutions already passed by the House.

Mr. Speaker replied that instances of Resolutions being rescinded had occurred.

Mr. De Cosmos rose to correct certain mis-statements which had been made by the Reporters of the public Journals in their report of his Speech of yesterday; he had stated that "the law of England prior to 1849 were the laws here as far as practicable."

Mr. Franklin gave notice of motion for tomorrow (to rescind Resolutions).⁷

The House then went into Committee of the whole upon the address in reply to H. Excy.'s Speech.

Mr. Speaker left the chair.

Mr. Dennes in the chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the address reported from the Select Committee in reply to H. Excy.s Speech on the opening of the present Session had agreed upon an address as follows.

To His Excy. A. E. Kennedy, C. B. Governor of Vancouver Island and its Dependencies and Vice Admiral of the same.

May it please Your Excellency

We, Her Majesty's faithful and loyal subjects the members of the Legislative Assembly of Vancouver Island have much gratification in being informed by Your Excy. that a Gold field has been discovered within the Colony that is prospectively of great value.

We beg to assure Your Excy. that we would be disposed to give that consideration to the question of the transfer of the Crown Lands & Revenues to the Colony & all other subjects mentioned in Your Excellency's address which the importance of the subjects demand, but we deem ourselves precluded from so doing on account of the House of Assembly having been called together without fourteen days notice having been given. The House is therefore of opinion that any Action it might take would be open to question and further that such a precedent might lead to most injurious consequences. We would therefore sincerely hope that Your Excy. may take our objection into your serious consideration & adopt such constitutional measures as to you may appear advisable under the circumstances.

Agreed to.

The House then adjourned till tomorrow.

⁷ Motion book, p. 75: "I shall move that the Resolutions of the 23rd Inst. of the Member for Victoria [De Cosmos] be read & that they be rescinded."

Thursday, the 25th day of August, 1864

The House met at 3.15 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Carswell, Duncan, Dennes.

The last Minutes having been read and confirmed.

Mr. De Cosmos rose to a question of privilege to correct a mis-statement which had been made by the Reporter of the Chronicle Newspaper in his report of the proceedings in the House yesterday.

2nd Reading of the address in reply to His Excellency's Speech on the opening of this Session of Parliament.

Mr. De Cosmos moved that in clause 2 after the word "address" the words "which the importance of the subjects demands" be inserted [omitted].

Carried.

The Address was then read a 2nd time & carried Nem. con.

The House then adjourned at call of Mr. Speaker.

Friday, the 26th day of August, 1864⁸

At one o'clock the hon. Speaker of the House of Assembly accompanied by Messrs. De Cosmos, Franklin, and Dennes, waited on His Excellency and presented the following reply, which was read by the Speaker:

To His Excellency Arthur Edward Kennedy, C. B., Governor of Vancouver Island and its dependencies, and Vice-Admiral of the same, &c. &c.

May it Please Your Excellency,—

We, Her Majesty's faithful and loyal subjects, the members of the Legislative Assembly of Vancouver Island, have much gratification in being informed by your Excellency that a gold field has been discovered within the colony that is prospectively of great value.

We beg to assure your Excellency that we would be disposed to give that consideration to the question of the transfer of the Crown Lands and revenues to the Colony and all other subjects mentioned in your Excellency's address, but we deem ourselves precluded from so doing on account of the House of Assembly having been called together without fourteen days' notice having been given. The House is of opinion therefore that any action it might take would be open to question, and further that such a precedent might lead to most serious consequences.

We would therefore sincerely hope that your Excellency may take our objections into your serious consideration, and adopt such constitutional measures as to you may appear advisable under the circumstances.

⁸ This day's minutes do not appear in the original Minute Book. These are taken from the *Colonist*, 27 August 1864.

His Excellency replied as follows:

Mr. Speaker and Gentlemen of the Legislative Assembly;

I thank you for your address. However much it is to be regretted that doubts have arisen whereby the action of the Legislature has been delayed, I cannot but concur in the expediency of their being set at rest.

The adoption of the privileges and practice of the Imperial Parliament in so far as they are applicable to the local Legislature in spirit as well as in letter must be conducive to the public good and the honor of the Legislative Assembly. The right of the people and the privileges of the Legislative Assembly who represent them I hold equally sacred, and they cannot be too carefully guarded. Your address, gentlemen, shall receive my best and earliest consideration with a view to the removal of any doubts of the legality of your proceedings.

The members of the House then withdrew.

**THIRD HOUSE OF ASSEMBLY
SECOND SESSION**

MINUTES OF THE THIRD HOUSE OF ASSEMBLY
OF VANCOUVER ISLAND—SECOND SESSION

Monday, the 12th day of September, 1864

The House met this day at 1 p. m. in accordance with the Proclamation of His Excellency the Governor.¹

Present: Mr. Speaker in the Chair and Messrs. Franklin, Dennes, De Cosmos, Carswell.

A Summons was delivered by Mr. Nesbitt, Clerk of the Honble. the Legislative Council as follows.

Mr. Speaker—The Governor desires this Honble. House to attend His Excellency forthwith in the Legislative Council Chamber.

Mr. Speaker, with the House, went up to attend His Excellency the Governor accordingly.

His Excellency then addressed both Houses of the Legislature as follows:

Honble. Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly,

I have called you together for the consideration of subjects recently brought under your notice and which have acquired additional importance since I last addressed you.

A Despatch from the Governor of British Columbia will be laid before you informing me that he has been called upon by Her Majesty's Secretary of State for the Colonies to report upon a suggestion made by the Legislative Assembly of Vancouver Island that the two English Colonies West of the Rocky Mountains should be united under one Governor and inviting early communication with me on the subject. It is desirable therefore that I should be in possession of the views of the Legislature of this Colony, to enable Her Majesty's Government to consider them in connexion with the report of the Governor of British Columbia and my own.

The important subject of Schools for the training of Children whose parents are unable to afford them a high class education will doubtless receive your careful consideration.

The relations between White Men and the Indian tribes become daily more complicated, affording indications of future difficulties which it will be well to obviate by the adoption of timely precautions and suitable laws.

The early consideration of an Incorporation Act for the City of Victoria is pressingly necessary in a moral as well as sanitary point of view. The City possesses ample resources both in property and intelligence for the purpose of Municipal Government, with which I think it is so desirable to invest it, and I feel confident that the local knowledge of the Legislature will enable them to deal with this question speedily and satisfactorily.

The Postal Communication, within and without the Colony, demands earnest attention. I propose to submit measures for the better conduct of this Department at an early period.

¹ Proclamation dated 27 August 1864 and published the same day in Vancouver Island, *Extra Government Gazette*, I (No. 18).

Gentlemen of the Legislative Assembly,

It is necessary for the regular administration of the Finances of the Colony that the annual Estimates should be agreed to prior to the period from which they are to take effect. I will therefore have them submitted for your consideration as soon as circumstances will permit.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly,

I beg to assure you of my earnest desire to co-operate with you in all measures calculated to promote the public good and the prosperity of the people.

The House being returned Mr. De Cosmos moved The 1st Reading (pro formâ) of "A Bill Entitled An Act respecting Barristers & Attorneys-at-law."

Mr. Carswell seconded.

Agreed to.

Mr. Speaker then read the Speech of His Excellency the Governor; also, A Communication (19)² from His Excellency enclosing a Despatch dated 31st Aug. 1864 from the Governor of British Columbia on the subject of "Union between Vancouver Island and British Columbia" (as follows):

[Enclosure]

British Columbia

New Westminster
31st Aug. 1864

Sir,

I have the honor to inform you that I have received a despatch from the Secretary of State, directing me to report upon a suggestion made by the Legislative Assembly of Vancouver Island that the two English Colonies West of the Rocky Mountains should be united under one Governor though with some distinct administrative Departments.

The Secretary of State expresses a wish that before sending in my report I should consult freely with Your Excellency. As the proposal for Union originated with the Legislature of the Colony under your Government, I beg leave to know if I may soon expect to receive any communication from Your Excellency on the subject.

I have, &ca. &ca.

(signed) Frederick Seymour.

Mr. De Cosmos moved "that the Speech of His Excy. the Governor be referred to a Committee."

Mr. Carswell seconded.

Agreed to.

Committee appointed. Messrs. De Cosmos, Franklin, Carswell.

Ordered That the Committee report to the House tomorrow.

Mr. Speaker informed the House that Major G. F. Foster and E. H. Jackson Esqre. had resigned their seats for Esquimalt Town and Victoria District respectively.

Mr. De Cosmos moved for Writs for the election of new Members to serve respectively in their stead.

Mr. Dennes gave Notice of Motion (M. B. f. [blank]) for leave to bring in "A Bill For the more easy recovery of small debts and demands."

² Messages to House, 12 September 1864.

On question put by Mr. Speaker, the House Resolved unanimously "that the Rules, Regulations and Orders by which the proceedings of the House have hitherto been governed be adopted during this present Session."

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]) for leave to introduce "A Bill To amend the Victoria Incorporation Act, 1862."

Also, Notice of Motion (M. B. f. [blank]) "That the House go into Committee of the whole forthwith with the object of empowering the Speaker to appoint from time to time A Barrister to act as draftsman of Bills and that the Speaker be fully authorised to fix the amount of remuneration for such service."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 13th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, Carswell, Dennes, Powell, De Cosmos, Trimble.

The last Minutes having been read and confirmed.

Mr. De Cosmos from the Committee appointed to draft An Address in reply to H. Excy. the Governor's Speech reported as follows,

To His Excellency Arthur Edward Kennedy Companion of the Most Honble. Order of the Bath, Governor and Commander in Chief in and over the Colony of Vancouver Island and its Dependencies, &c. &c. &c.

May it please Your Excellency

We Her Majesty's faithful and loyal Subjects the Members of the Legislative Assembly are much gratified in having been called together to consider those subjects of importance upon which you have addressed us.

We shall seek at the earliest opportunity to place you in possession of our views as to the desirability at the present time of uniting the two English Colonies, West of the Rocky Mountains, under one Government.

The subject of public Schools, the relations between white men and the Indian tribes, the Incorporation Act for the City of Victoria, and the Postal Communication of this Colony shall receive from us our earnest attention and consideration, as also the subject of the finances of the Colony which, for the more regular administration thereof, we are glad to learn will be submitted to us prior to the period from which they are to take effect.

We thank Your Excellency for the manner in which you have expressed your earnest desire to co-operate with the Legislature in all measures calculated to promote the public good and the prosperity of the people and we sincerely trust that by the wisdom of our deliberations we may be enabled to aid you in realising that public good we all must seek for.

Ordered That the Address in reply to H. Excy. the Governor's Speech be referred to A Committee of the whole tomorrow.

On motion of Mr. De Cosmos, seconded by Mr. Carswell, "A Bill Respecting Barristers and Attorneys-at-law" was Read a 2nd time and committed.

Ordered That above Bill be printed.

Mr. De Cosmos moved A Resolution (pursuant to notice) "that the House go into Committee of the whole forthwith with the object of empowering the Speaker to appoint from time to time A Barrister to act as draftsman of Bills, and that the Speaker be fully authorised to fix the amount of remuneration for such Services."

Mr. Speaker ruled that the Resolution was out of Order in as much as it involved An Expenditure the initiation of which was vested in the Executive—he thought, however, that the text of the Resolution might be so altered as to be considered in Committee without violation of precedent.

Mr. Franklin moved an amendment "That the House go into Committee of the whole to consider the propriety of a Barrister being appointed from time to time to act as draftsman of Bills."

Mr. De Cosmos asked leave to withdraw his Resolution in favor of Mr. Franklin's Amendment.

Leave granted.

Mr. Franklins Amendment was then agreed to.

(Dissentiente Mr. Dennes)

On Motion by Mr. De Cosmos. 2nded by Mr. Carswell. "That the House do now go into Committee of the whole upon Mr. Franklins Amendment (above)."

The House divided.

Question.

Ayes: 3.

Noes: 1.

Messrs. De Cosmos
Franklin
Carswell

Mr. Dennes

The House then went into Committee of the whole upon Mr. Franklin's Amendment.

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the propriety of A Barrister being appointed from time to time to act as a draftsman of Bills had Resolved.

1. That this House is of opinion that it is absolutely necessary that the Speaker be empowered to appoint from time to time a Barrister to act as a draftsman of Bills.

2. That His Excellency be asked to insert a Sum of money in the Estimates to meet the Expenditure.

Ordered That report be agreed to.

Mr. Speaker then read a letter from George Cruickshank Esqre. tendering the resignation of the Seat, as Member for the City of Victoria, to which, conjointly with C. B. Young Esqre., he had been elected.

Mr. Speaker ruled—"that all matters connected with elections must be referred to the Committee on Elections."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 14th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Duncan, Dennes, Powell, Franklin, Carswell.

The last minutes having been read and confirmed.

Mr. Speaker, referring to the letter of Mr. Cruickshank tendering the resignation of the Seat for the City of Victoria to which, conjointly with Mr. C. B. Young, he had been elected, Ruled "That the House had nothing to do with contested elections; that all matters connected therewith must be determined by the Committee on Elections."

The House then took under consideration the Report of the Committee of the whole (yesterday) "As to the propriety of A Barrister being appointed from time to time to act as draftsman of Bills"—as follows.

Resolved 1. That this House is of opinion that it is absolutely necessary that the Speaker be empowered to appoint from time to time A Barrister to act as draftsman of Bills.

2. That His Excellency be asked to insert a Sum of money in the Estimates to meet the Expenditure.

Agreed to.

Mr. Duncan gave Notice of Motion (for this day week) "For certain Returns connected with the Bankruptcy Court."

Also, Notice of Motion (for this day week) "For certain Returns connected with the Probate Court."

Mr. Dennes, pursuant to notice, asked leave to introduce "A Bill for the more easy Recovery of small debts and demands."

Mr. Speaker ruled "that as the Bill in question was a Money Bill its initiation rested in the Executive."

The House then went into Committee of the whole upon "An Address in reply to His Excy. the Governor's Speech at the opening of the present Session of Parliament."

Mr. Speaker left the Chair.

Dr. Powell in Chair of Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Address in reply to His Excellency the Governor's Speech had made Amendments thereto and begged to report the following Address.

To His Excellency Arthur Edward Kennedy Companion of the Most Honble. Order of the Bath, Governor and Commander-in-Chief in and over the Colony of Vancouver Island & its Dependencies, and Vice-Admiral of the same, &c. &c. &c.

May it please Your Excellency,

We, Her Majesty's dutiful and loyal Subjects, the Members of the Assembly of Vancouver Island, in this present Session convened, have much gratification in assuring Your Excellency that we shall take an early opportunity of placing in your possession our views respecting A Union of Vancouver Island and British Columbia under one Governor.

We would likewise assure Your Excellency that, being fully impressed with the importance of making additional provision for the encouragement, management, and support of Common Schools throughout the Colony we will devote to the subject our early & earnest Attention.

We would acquaint Your Excellency that, as soon as we are put in possession of information necessary to the full consideration of Indian Affairs, we shall be prepared to assist in taking timely precautions and enacting suitable laws to remove any existing complications and to avoid future difficulties between the Indian tribes and the other Inhabitants of the Colony.

We have great pleasure in concurring in the views of Your Excellency as to the pressing necessity for additional legislative provision being made for the order and good government of the City of Victoria; and we would also assure Your Excellency that we earnestly desire to aid in the passage of such An Act as will speedily and satisfactorily adjust the difficulties in which the Civic Government is at present involved.

We will cheerfully give our attention to the consideration of any Measures that Your Excellency may submit respecting Postal Communication either within or without the Colony.

We fully appreciate the importance of having the Estimates voted prior to the disbursement of the public Revenue; and that when the Annual Estimates for the ensuing Fiscal Year are submitted, they shall receive our careful consideration.

In conclusion, we have great pleasure in expressing our sincere desire to reciprocate Your Excellency's wish to cordially co-operate with the Legislature in all measures calculated to promote the public good and to secure the lasting prosperity of the people.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Friday, the 16th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, De Cosmos, Dennes, Trimble.

The last Minutes having been read and confirmed.

The House took under consideration and agreed to the Report of the Committee of the Whole (14th Inst.) viz. "An Address in reply to His Excy. the Governor's Speech upon the opening of this present Session."

Mr. Speaker, with the House, then waited upon his Excellency to present the foregoing Address and also The Resolutions passed by the House on the 13th Inst. and confirmed on the 14th Inst. as to the propriety of "A Barrister being appointed from time to time to act as draftsman of Bills" to the which His Excy. was pleased graciously to reply.³

Mr. De Cosmos gave notice of motion—for leave to introduce "A Bill Entitled An Act to amend the Incorporation Act 1862."

The House then adjourned till 3 p. m. on Monday.

J. S. Helmcken
Speaker.

Thursday, the 22nd day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Carswell, Street, De Cosmos, Franklin, Dennes, and Drs. Powell, Tolmie.

The last minutes having been read and confirmed.

James Dickson Esqre. M. D. took the Oaths and his Seat for the District of Victoria County.

Mr. Speaker appointed the following Committee as a "General Committee on Elections."

Messrs. De Cosmos, Powell, Duncan, Street, Dennes.

On question put by Mr. Speaker, Ordered—that the foregoing Committee be constituted "A General Committee on Standing Orders."

Mr. Speaker informed the House that "Mr. M. W. T. Drake had been appointed Examiner of Recognisances to the House."

Mr. De Cosmos gave Notice of Motion for next meeting "that the House fix a day to go into Committee of the whole to consider the question of the Union of the Colonies of Vancouver Island and British Columbia."

Mr. De Cosmos moved for leave to bring in "A Bill Entitled An Act to amend the Incorporation Act 1862."

Seconded by Mr. Franklin and Agreed to.

Joseph Johnson Southgate Esqre. took the Oaths and his Seat for the Esquimalt Town District.

The Order of the Day was then read, viz. That the House go into Committee of the whole upon "A Bill Entitled An Act respecting Barristers and Attorneys-at-law."

³ For a report of Kennedy's reply, see *Chronicle*, 17 September 1864.

On question "That Mr. Speaker do now leave the Chair" Mr. Dennes moved An Amendment "That the consideration in Committee of the above Bill be postponed until Monday next to admit the introduction of certain important Amendments."

The House then divided. Question "That Mr. Speaker do now leave the Chair."

Ayes: 2.

Messrs. De Cosmos
Powell

Noes: 7.

Messrs. Tolmie
Dickson
Franklin
Street
Dennes
Carswell
Southgate

Mr. Dennes's Amendment was then put and carried and the consideration in Comtee. of the whole, of "A Bill Entitled An Act respecting Barristers & Attorneys-at-law" was Ordered for Monday next the 26th Inst.

The House then adjourned till Monday next.

J. S. Helmcken
Speaker

Monday, the 26th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Trimble, Tolmie, Powell, Dickson, and Messrs. Street, De Cosmos, Duncan, Dennes, Franklin, Carswell.

The last Minutes having been read and confirmed.

Mr. De Cosmos, pursuant to notice, moved "That the House fix a day to go into Committee of the whole to consider the question of Union of the Colonies of Vancouver Island and British Columbia."

Dr. Dickson 2nded.

Agreed to.

Ordered for Monday next, the 3rd proximo.

Mr. Duncan, pursuant to notice, moved the following Resolutions

That His Excellency the Governor be most respectfully requested to cause the following Returns to be laid upon the table of this House at as early a date as convenient.

1. A return of all applications for Probates or Letters of Administration applied for with the names of the several parties, their descriptions and full particulars as furnished to the Probate Court with reference to such Estates.

2. A return of all sums paid into the Probate Court to account of the Estates of deceased persons, specifying Testate from Intestate with the date of such payments and how the same have been appropriated.

3. A return of all sums paid for expenses or otherwise on account of Estates in the Probate Court, (either Testate or Intestate) specifying the name of each estate and the date and amount of payment made on account of such estate and by whom and to whom made.

4. A return of all sums paid out of Court on account of Intestate or Testate Estates, specifying date of payments the amounts & particulars of each item so paid and the parties to whom paid and for what purpose paid.

5. A return of all sums now in the hands of the Court or deposited in Bank or elsewhere to account or to the credit of Estates Testate or Intestate and the date of such payments into Bank or Elsewhere.

6. The above several returns to be from May 1858 to Septr. 1864.

Mr. De Cosmos seconded.

Agreed to.

Mr. Duncan gave notice of motion for tomorrow for Certain Returns connected with the Bankruptcy Court.

Dr. Powell gave notice of motion for Wednesday next (28th inst.) "That a Committee be appointed with a view of reporting upon Education and the desirability of bringing in A Bill for the promotion of the same in this Colony."

Mr. Franklin gave Notice of Motion for Wednesday next (28th Inst.) "That His Excy. be asked to procure for the use of the Colony a Set of Weights and Measures according to the Standard of Her Majesty's Exchequer in England."

Order of the Day. The House then went into Committee of the whole upon "A Bill Entitled An Act respecting Barristers & Attorneys at law."

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the above mentioned Bill under consideration begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 27th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Powell, Tolmie, Trimble, Dickson; and Messrs. Street, De Cosmos, Franklin, Dennes, Duncan, Southgate.

The last Minutes having been read and confirmed.

Mr. Speaker read a Communication from George Cruickshank, Esqre. declining to defend the Seat as Representative for the City of Victoria to which, co-jointly with Charles Bedford Young, Esqre., he had been elected.

Mr. De Cosmos then moved "that the Return of George Cruickshank, Esqre. be taken off the file."

Mr. Speaker informed the House that Orders to that effect should be transmitted to the Clerk of the Crown in Chancery.

Mr. Duncan pursuant to notice moved the following Resolution "That His Excellency the Governor be most respectfully requested to cause the following returns to be laid upon the table of this Honble. House at as early a date as convenient."

1. A return of the names of all parties who have been adjudicated Bankrupt under and by virtue of the provisions of the Bankruptcy Act 1862 together with the description of such parties and the several dates of such adjudication in Bankruptcy.

2. A return of all sums received by the Official Assignee in Bankruptcy on account of such Bankrupt Estates specifying each Estate separately and the dates of such payments.

3. A return of all accounts rendered by the Official Assignee in Bankruptcy to the Accountant in Bankruptcy of sums received by him on account of bankrupt Estates, specifying the name of each Estate the date and amount of moneys paid on such Estate separately and how and when applied and the date of filing such accounts with the Accountant in Bankruptcy.

4. A return of all sums paid into the Bank to the credit of the Accountant in Bankruptcy of Bankrupt Estates by the Official Accountant in Bankruptcy specifying the amount & date of such payments as also the several Estates to account of which such may have been paid.

5. A return of all sums received by the Accountant in Bankruptcy from the Official Assignee on account of Bankrupt Estates specifying the amount of each payment the date when received and the Estate to the credit of which the same may have been received.

6. A return showing the value of property taken possession of by the Official Assignee in Bankrupt Estates the disposition made of the same, the amount of goods, (specifying whether the same were perishable or otherwise) and the dates of the Order or Orders of Court authorising the sale of such effects prior to the appointment of the Trade Assignees such return to show each Bankrupt Estate with such particulars separately.

7. A return of all sums now in the hands of the Official Assignee in Bankruptcy, the accountant in Bankruptcy or which may have been placed in the Bank to the credit of the Accountant in Bankruptcy on Account of Bankrupt Estates specifying the name of each Estate, amounts and date of such payments applicable to each and to whom paid separately.

8. A return showing the gross amount of each Bankrupt Estate, all Sums paid or allowed to the Official Assignee and Accountant in Bankruptcy as Expenses or allowances in Bankrupt Estates specifying each separately.

9. A return of all dividends declared in Bankrupt Estates in detail with the dates on which the same may have been declared.

10. A return of all sums actually paid as such dividends specifying each Estate in detail and the respective dates of payment.

Mr. Street Seconded.

Agreed to.

Dr. Tolmie gave Notice of Motion for tomorrow for returns from the 1st Jany. 1863 to 30th June 1864.

1st. Of the number of persons tried in the Police Court for selling or giving liquor to the Indians.

2nd. Of the number of convictions with a statement of the number of the convicted who have paid the fine, who have been sent to prison, and who have been convicted more than once.

3rd. The Amount of Fines collected.

4th. Of the total number of days imprisonment for this Offence.

5th. Of the estimated cost of maintenance and supervision per diem of One prisoner.

6th. Of the number of persons convicted of other offences stating the offence, in tabular form, and distinguishing Prisoners received from any of Her Majesty's ships.

7th. Any returns of a similar nature from Nanaimo or other places in this Colony that may now be in possession of the Government.

Order of the Day. The House then went into Committee of the Whole upon "A Bill Entitled An Act respecting Barristers & Attorneys-at-law."

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the foregoing Bill under consideration, begged to report progress and ask leave to sit again.

Ordered that Report be received and leave granted.

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 28th day of September, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Dennes, De Cosmos; and Drs. Powell, Tolmie, Dickson.

The last minutes having been read and confirmed.

Mr. Speaker informed the House that—in the matter of the double return of George Cruickshank and Charles Bedford Young Esqres. for the City of Victoria and the refusal of the said George Cruickshank Esqre. to defend the seat against the Petition of the said Charles Bedford Young Esqre. Counsel had advised

"that the return of the said George Cruickshank Esqre. could not be taken off the file until a period of twenty one days had elapsed, within which it would be competent for any two or more Electors of the said City of Victoria to defend the return of the said George Cruickshank Esqre. to the seat as aforesaid."

Mr. Franklin, pursuant to notice, moved "That His Excellency be asked to procure for the use of the Colony a set of Weights and Measures according to the Standard of Her Majesty's Exchequer in England."

Dr. Powell seconded.

Carried.

Dissentiente Mr. De Cosmos.

Dr. Tolmie pursuant to notice moved "For Returns from the 1st Jany. 1863 to 30th June 1864."

1. Of the number of persons tried in the Police Court for selling or giving liquor to the Indians.

2. Of the number of convictions with a statement of the number of the convicted who have paid the fine, who have been sent to prison, and who have been convicted more than once.

3. The amount of fines collected.

4. Of the total number of days imprisonment for this offence.

5. Of the estimated cost of maintenance and supervision per diem of one prisoner.

6. Of the number of persons convicted of other Offences stating the offence, in tabular form, and distinguishing Prisoners received from any of H. M.'s Ships.

7. Any returns of a Similar nature from Nanaimo or other places in this Colony that may now be in possession of the Government.

Mr. Dennes 2nded.

Carried.

Dr. Powell, pursuant to notice, moved for "A Committee to be appointed with a view of reporting upon Education and the desirability of bringing in A Bill for the promotion of the same in this Colony."

Dr. Dickson 2nded.

Carried.

Mr. Speaker appointed Dr. Powell, Dr. Tolmie, Mr. Street as a Select Committee therein.

Order of the Day. In Committee of the Whole. "A Bill Entitled An Act respecting Barristers and Attorneys-at-law."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the foregoing Bill under consideration had made amendments thereto and agreed to the same.

Ordered That Report be adopted.

Mr. De Cosmos gave notice of Motion for next meeting "That the House fix a day to go into Committee of the whole respecting the Appointment of a Chief Justice."

The House then adjourned till Monday next (3rd *proximo*).

J. S. Helmcken
Speaker

Monday, the 3rd day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Dennes, De Cosmos, Carswell, Duncan, Southgate, Street, and Drs. Powell, Dickson, Trimble, Tolmie.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communications from His Excy. The Governor.

No. 20.

Vancouver Island
Victoria, 29th Sept. 1864.

Gentlemen

I have the honor to acknowledge the Receipt of a Copy of A Resolution passed by the Legislative Assembly on the 26th Inst. and to state that the required information will be supplied as early as possible. The subject of this Resolution has been under my consideration and inquiry for some time.

I have the honor to be, Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy, Governor

No. 21.

Vancouver Island.
Victoria, 29th Sept. 1864.

To the Honble. the Speaker and Members of the Legislative Assembly
Gentlemen.

I have the honor to acknowledge your letter of the 28th Inst. and in reply to state that the information required will be supplied as early as possible.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

No. 22.

Vancouver Island
Victoria, 29th Sept. 1864.

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen.

I have the honor to acknowledge your letter of this day's date and in reply to state that the information asked for will be supplied at as early a period as possible.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy, Governor.

No. 23.

Vancouver Island
Victoria, 29th Sept. 1864.To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor, in reply to your letter of this days date, to acquaint you that in accordance with the desire expressed in the Resolution of the Legislative Assembly, therein enclosed, I will take steps by the first opportunity to procure a set of Weights and Measures from England.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy
Governor.

On Motion of Mr. Dennes (the concurrence of the Executive having been obtained)
Ordered That Friday next be fixed for the House to go into Committee to report upon "A Bill For the more easy recovery of small debts and demands."

On motion by Mr. De Cosmos 2nded by Dr. Trimble, Ordered "That the House go into Committee of the whole on Thursday next (6th Inst.) respecting the Appointment of a Chief Justice."

"A Bill Entitled An Act respecting Barristers and Attorneys-at-law" was read a third time and passed.

Order of the Day. The House then went into Committee of the whole (26th ulto.)
"To consider the question of the Union of the Colonies of Vancouver Island and British Columbia."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the question of the Union of the Colonies of Vancouver Island and British Columbia under consideration begged to report progress and ask leave to sit again.

Ordered—that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 4th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Street, Franklin, Dennes, Southgate, Carswell, and Drs. Tolmie, Trimble, Powell, Dickson.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege. He had seen in one of the public journals of yesterday a Notice that the Seat of the Honble. member for Lake District had become vacant by the fact of his having taken a contract with the

Government to sell the Town Site at Leech River at a specified rate at 2½ per ct. commission. Mr. De Cosmos, in reply to Dr. Tolmie, stated that his information in the above matter had been derived from the Acting Colonial Secretary and the Asst. Surveyor General.

As he (Mr. De Cosmos) believed that the terms of Section 12 of "The Franchise Act 1859"⁴ would also apply to the seats of the Honble. Members for Nanaimo and Sooke respectively, he would give Notice of Motion for tomorrow.

That His Excellency the Governor be respectfully requested to furnish this House with returns in the following subjects.

1. Whether James Duncan Esqre. has ever received An Appointment under the Governor to sell Town-Lots in the Government Town Site at Leech and Sooke Rivers;

2. If such An Appointment has been made at what time was it made, at what commission was James Duncan Esqre. to sell the said Lots; and did he attempt the sale;

3. Whether C. A. Bayley Esqre. has supplied the Government with any merchandise within the last three Months, if so, what amount, when delivered, and when paid for;

4. Whether James Carswell Esqre. has supplied the Government with any merchandise within the last three months, if so what amount, when delivered, and when paid for?

Order of the Day. In Committee of the Whole. The House then went into Committee of the Whole upon the question of the "Union of the Colonies of Vancouver Island and British Columbia."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of the Union of the Colonies of Vancouver Island and British Columbia begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 5th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Carswell, Dennes, Southgate, Duncan, Street; and Drs. Powell, Trimble, Tolmie, Dickson.

The last minutes having been read and confirmed.

⁴ Section XII reads: "Any member of the House of Assembly accepting or obtaining any appointment or contract from, of, or under the Government, shall *ipso facto* vacate his seat, and a new Writ shall immediately be issued for another election, but the member vacating shall be eligible for re-election." An Act to Amend the Law relating to the Representation of Vancouver Island and its dependencies, *Statutes of the Colony of Vancouver Island, 1859*.

Dr. Trimble gave notice of Motion for tomorrow "That a Committee be appointed to enquire whether Amor De Cosmos Esqre. as proprietor or part owner of the British Colonist Printing Establishment has received any payment or emolument from the Government for printing or advertising, since his Election to the House of Assembly as Member for the City of Victoria."

Mr. De Cosmos, in reply stated that since his election no such moneys had been paid to him—at that time the Government owed him a Sum of Money, which Sum was paid to him afterwards. He would further any enquiry by a Committee as much as possible.

Mr. Speaker ruled that the case of the Honble. Member for Sooke (Mr. Carswell) did not come within the terms of "Section 12 of the Franchise Act 1859."

Mr. De Cosmos, pursuant to notice, moved a Resolution—Seconded by Dr. Dickson—"That His Excellency the Governor be respectfully requested to furnish this House with Returns on the following subject."

Whether James Duncan Esqre. has ever received an Appointment under the Governor to sell Town Lots in the Government Town Site at Leech and Sooke Rivers; and when; and at what rate?

On question "that above Resolution do pass" The House divided.

Ayes: 6.

Messrs. De Cosmos
Street
Southgate
and Drs. Powell
Tolmie
Dickson

Noes: 4.

Messrs. Trimble
Franklin
Dennes
Carswell

Order of the Day. The House then went into Committee of the whole upon the question of the Union of the Colonies of Vancouver Island and British Columbia.

Mr. Speaker left the Chair.

Mr. Duncan in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of the Union of the Colonies of Vancouver Island and British Columbia begged to report progress and asked leave to sit again.

Ordered that report be received and leave granted.

Mr. Duncan, in explanation, stated

- 1st. That the local Government had not any lands to sell.
- 2nd. That he had not received any moneys from Government for selling land.
- 3rd. That he did not consider that he had received any Appointment.

The House then adjourned until tomorrow.

J. S. Helmcken
Speaker

Thursday, the 6th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Bayley, Street, Southgate, Franklin; and Drs. Tolmie, Dickson, Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 24.

Vancouver Island
Victoria, 6th Oct. 1864

To the Honble. The Speaker and Members of the Legislative Assembly.
Gentlemen.

In reply to the Resolution dated 5th October 1864, received this day I have the honor to enclose the original and only document in my possession or within my knowledge on this subject.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy
Governor.

[Enclosure]

32/559 Recd. 3-10-64

Messrs. Duncan and George's Compl'ts to J. D. Pemberton, Esqre.
and they will be happy to sell the Town Site at Leech River for 2½ %
Commission.

Wharf Street
Victoria, V. I.
30 Sep. 1864

Enclosure endorsed as follows.

Referred to Colonial Secretary to obtain the Governor's approval.

I think the terms reasonable.

M 100/403 1 Oct. 1864 (sd.) J. D. Pemberton, Surveyor General.

Approved—(sd.) A. E. K. Oct. 4/64.

Forwarded to the Acting Surveyor General.

(Sd.) Henry Wakeford.
Acting Colonial Secretary

(To be returned) 4-10-64

The consideration of foregoing Correspondence was deferred till tomorrow.

Mr. Bayley, in reply to the Notice of Motion given by the Honble. Senior Member for Victoria City on the 4th Inst. as to contracts with Government by Members of this House stated "that he had never entered into any contract with the Government, that he had never been bound to the Government, nor the Government to him in any way."

Mr. Speaker, at the instance of the House, Ruled "That the case of the Honble. Member for Nanaimo (Mr. Bayley) did not come within the terms of Section 12 of the Franchise Act 1859."

Order of the Day. The House then went into Committee of the whole upon a Resolution (3rd Inst.) respecting the "Appointment of A Chief Justice."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above subject, had adopted the following Resolutions

Whereas a Resolution was passed on Feby. 16th 1864 by this House respecting the appointment of a Successor to the present Chief Justice of this Colony.

And Whereas "An Act entitled the Chief Justices Pension Act, 1864" was passed making provision for the retirement of the present Chief Justice.

And Whereas Her Majesty's Principal Secretary for the Colonies in a Despatch dated May 12th 1864 refuses to make the said appointment in accordance with the said Resolution in consequence of no provision having been made for the permanent Salary of such Officer.

Resolved, That in order to carry out the Resolution and Act aforesaid, this House pledges itself to vote the sum of Twelve hundred pounds sterling per annum payable out of the general Revenue as the permanent annual Salary of a Successor to the present Chief Justice.

Resolved That His Excellency the Governor be respectfully requested to forward the Resolution to Her Majesty's Principal Secretary for the Colonies asking him to make the Appointment of a Successor to the present Chief Justice in accordance with the Resolution of Feby. 15th 1864.

The above Resolutions read a 1st time and agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 7th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Dennes, Carswell, Franklin, Southgate, Street; and Drs. Tolmie, Trimble, Powell, Dickson.
The last minutes having been read and confirmed.

Dr. Powell from the select Committee on Education laid upon the table the Report of that Committee.

Ordered for Tuesday next in Committee of the whole The Consideration of the above Report.

Dr. Trimble, by permission of the House, withdrew the Motion of which he had given Notice on the 5th Inst. "For a Committee to enquire whether the Honble. Senior Member for Victoria City (Mr. De Cosmos) as proprietor or part owner of the British Colonist Printing Establishment has received any pay-

ment or emolument from the Government for printing or advertising since his election to the House of Assembly as Member for the City of Victoria."

Order of the Day. The House then took under consideration the Report of the Committee of the whole (yesterday) upon a Resolution respecting the Appointment of "A Chief Justice."

Upon question "that the Resolutions reported from the Committee do pass," the House divided.

Ayes: 5.
Messrs. Street
De Cosmos
Southgate
Powell
Dennes

Noes: 2.
Messrs. Franklin
Tolmie

The Resolutions were therefore carried.

The House then went into Committee of the whole to consider the propriety of bringing in "A Bill For the more easy Recovery of small debts and demands."

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the propriety of bringing in A Bill as aforesaid had adopted the following Resolutions.

1. That a Bill be brought in authorising Justices of the Peace to hear and determine suits for debt for Fifty Dollars and under.

2. Stipendiary Magistrates for Two hundred and Fifty dollars and under.

3. There shall be no appeal in cases under fifty dollars.

4. That provision be made in such Bill for machinery, including trial by jury, to enable Justices of the Peace to hear and determine such Suits.

5. That provision also be made in such Bill for appeal to the Court above.

Ordered that report be adopted.

Mr. Speaker, in the absence of Mr. Duncan, referred the question of Privilege affecting the Seat of the Honble. Member for Lake District, and the correspondence connected therewith, to a Committee on Privileges.

The Committee on Privileges was then balloted for and is as follows—

Mr. Carswell (1)
Dr. Tolmie (2)
Mr. Street (3)
Mr. Franklin (4)
Mr. Dennes (5)

Ordered that Committee on Privileges meet at 1 p.m. on Monday (10th Inst.)

The House then adjourned till Monday (10th Inst.) at 3 p. m.

J. S. Helmcken
Speaker

Monday, the 10th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Powell, Trimble, Carswell, Southgate; and Dr. Dickson.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 25.

Vancouver Island.
Victoria. 10th October, 1864

To The Honble. The Speaker and Members of the Legislative Assembly.
Gentlemen

I will readily forward the Resolutions confirmed by the Legislative Assembly on the 7th Octr. but I feel it my duty to point out that Her Majesty's Secretary of State for the Colonies in a Despatch already laid before the House informed my Predecessor that a permanent Act of the Legislature should be passed, securing to the Chief Justice his Salary. The Resolution now placed in my hands cannot be considered as a "permanent Act of the Legislature" and will not therefore, I apprehend, justify Her Majesty's Secretary of State in making the required appointment of a Chief Justice to succeed His Honor David Cameron.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

Mr. De Cosmos, thereupon, gave Notice of Motion for Tuesday next "That the House fix a day to go into Committee of the whole with the object of introducing A Bill to provide a permanent Salary for a Successor to the present Chief Justice, chargeable on the General Revenue."

The House then confirmed the Resolutions reported from Committee of the whole on the 7th Inst. and Ordered that "A Bill For the more easy Recovery of Small debts and demands" be brought in, based upon the principles enunciated in the said Resolutions.

Mr. Carswell from the Select Committee on Privileges, requested Mr. Speaker to determine what number of Members should constitute A Quorum of the said Committee.

Mr. Speaker ruled that all the Members of the Committee must be present.

Mr. De Cosmos moved "That a Committee on Privilege be appointed to report on the following Subjects:

1. When was Mr. De Cosmos elected a member of this House;
2. When was he sworn in as a Member of this House;
3. Whether he has made an executed or executory contract with the Government to do printing since he was elected or sworn in.

The Resolution was not seconded.

Order of the Day. The House then went into Committee of the whole upon the question of the "Union of the Colonies of Vancouver Island and British Columbia."

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report progress and ask leave to sit again.

Ordered That Report be received and leave granted.

J. S. Helmcken

Tuesday, the 11th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Dickson, Tolmie, Trimble, Powell; and Messrs. Street, Franklin, De Cosmos, Dennes.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 26.

Vancouver Island
Victoria. 11th Oct. 1864

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor to submit for the information of the House, the Copy of a Report from the Office of Lands and Works showing the Expenditure already incurred and necessary to complete the Harbour Dredging Machine, together with an Estimate for the Working Expenses for one Year.

The House will observe that no provision is made in the Estimate for the Salary of a Superintending Engineer, as recommended in the Report of the Harbour Commissioners, dated 28th February, 1862.

The House will also observe that the original vote has been considerably exceeded. I would therefore beg for authority to carry on the current expenditure connected with the undertaking together with an expression of the intention of the House in reference to a Salary for a Superintending Engineer experienced in such operations in order that no delay may occur in putting the Dredger in motion as soon as completed.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy, Govr.

Copy

Office of Lands and Works

Sir.

In reply to His Excellency's enquiry of the 8th Inst. I have the honor to furnish herewith an Estimate in detail showing that \$25,102.83 will be required to complete the Dredging Machine in all its parts, also expenditure up to September, amounting to \$67,007.46.

If the Machinery shall arrive here undamaged at an early date, which from the letter from Valparaiso of 6th June, appears to be a reasonable expectation, I am confident that the Sum first mentioned will not be exceeded.

Assuming the Machinery completed, I furnish an Estimate of the Sum required to work the same effectively for one year, stating the number of officers and men required and their respective Salaries and all other expenses necessary for that period at \$23,184.00.

This last figure includes \$5,000.00 (which in practice I trust to be able to diminish) for permanent buildings on shore.

If His Excellency in consideration of his arrangement, of placing A Gentlemen in the Land Office so competent as Mr. Harries to relieve myself and Assistant in a great measure of Clerical duty, is of opinion that the Appointment of a separate officer to superintend and direct the Harbour Improvement is unnecessary I am quite willing to take that responsibility.

In reply to His Excellency's enquiry as to depositing the mud, I would propose to discharge it, at ebb tide, in the Straits beyond the Harbour limits and no extra expenditure on this head will be required.

I have the honour to be,

Sir,

Your most obedient Servant,

(Sd.) J. D. Pemberton
Surveyor General.

Victoria Harbour Improvement Expenditure up to 1st September, 1864.

1864			£	S	D	\$	cts.	\$	cts.
Sept.	1.	Total payments made in London to this date, exclusive of advances to Engineers	7,568	17	2	36,708.	96	36,708.	96
"	"	Advances to Engineers in London	141	10	"	686.	27		
"	"	Balance of Wages at this date due to them	79	10	"	385.	57	1,071.	84
		Expenditure at Victoria to date							
		Advertising in Evening Express				10.	00		
		Paymts. to Y. W. Trahey Contractor				19,500.	00		
		Paymts. to R. Ewing Contractor				9,000	00		
		Salary to Mr. Wm. Leigh Government Inspector				716.	66	29,226.	66
		Expenditure required to complete Machinery							
		Balce. of J. W. Trahey's contract when due				15,064.	00		
		Balce. of R. Ewing's contract when due				7,800.	00		
		Hudson's Bay Co. to store 131 tons at 50 cts.				65.	50		
		Extra labor connected with moving Machinery				100.	00		
		Constructing Store Rooms in Dredger and Steam Tug				500.	00		
		Assistance to Engineers in fixing Machinery				500.	00		
		2 Mo's. Salary to two Engineers £16"13"4				323.	33		
		2 Mo's. Salary to Govt. Inspector \$125.00				250.	00		
		Sundries and Contingencies				500.	00	25,102.	83
		Total Expenditure to complete Machinery						92,110.	20

Victoria Harbour Improvement Expenditure for one year
after completion of Machinery

	\$	cts.
Steam Dredge		
Engineer	1,067.	00
1 Blacksmith or Assistant @ \$55.00	660.	00
2 Stokers „ \$50.00	1 200	00
4 Laborers „ \$45.00	2 160	00
Steam Tug		
Master	1 000.	00
Engineer	1 067	00
2 Stokers	1 200.	00
2 Men	1 080.	00
Coal—50 H. P. at 10 lb. per noml. H. P. per hour, 2½ tons per day 250 days @ \$10. per ton.	6,250	00
Landing and shed at Hospital Point (if any) including all buildings required	5,000	00
Contingencies	2,500	00
	\$23,184.	00

Ordered for Friday next (14th Inst.) the Consideration of the above Correspondence.

Mr. Carswell from the Committee on Privileges reported that the Committee appointed on the 7th Inst. to take under consideration the question of Privilege affecting the Seat of the Honble Member for Lake District and the correspondence connected therewith was of opinion that James Duncan Esqre. did not receive a Government Appointment or Contract.

Mr. De Cosmos moved “that the Report of the Committee on Privileges be taken into consideration tomorrow.”

On Question “That above Resolution do pass” the House divided.
Question.

Ayes: 5.
Messrs. Tolmie
Powell
Street
Dickson
De Cosmos

Noes: 4.
Messrs. Carswell
Dennes
Franklin
and Dr. Trimble

The Resolution was therefore passed.

Mr. De Cosmos, pursuant to notice moved that the House fix a day to go into Committee of the whole with the object of introducing A Bill to provide a permanent Salary for a Successor to the present Chief Justice, chargeable on the General Revenue.

2nded by Mr. Franklin. Carried.

Ordered for tomorrow Consideration of above.

In reply to a question by Dr. Trimble Mr. Speaker informed the House that until the 21 days has elapsed, in the terms of the Notice issued by his Order on the 28th Ultio. in the matter of the double Return for Victoria City, Mr. Young could not take his Seat & vote.

The House then went into Comtee. of the whole upon The Report of the select Committee on Education, presented to the House on the 7th Inst.

Mr. Speaker left the Chair.

Mr. Franklin in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Report begged to report progress and ask leave to sit again.

Ordered That Report be received and leave granted.

Mr. Franklin gave Notice of Motion for tomorrow for "leave to introduce 'A Bill Entitled An Act to amend the Land Registry Act, 1860'."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 12th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Tolmie, Dickson, Trimble, Powell; and Messrs. De Cosmos, Street, Franklin, Dennes, Carswell, Southgate.

The last minutes having been read and confirmed.

Mr. Franklin pursuant to notice moved for leave to bring in "A Bill Entitled An Act to amend the Land Registry Act, 1860."

Mr. De Cosmos seconded.

Agreed to.

Mr. Street gave Notice of Motion for tomorrow for leave to bring in "A Bill Relating to the qualification of Medical Practitioners in Vancouver Island and its Dependencies."

The House then took under consideration the Report of the Select Committee on Privileges(yesterday) in the matter affecting the Seat of the Honble. Member for Lake District.

Mr. De Cosmos moved An Amendment that "in the opinion of this House the seat of the Honble. Member for 'Lake District' is vacant."

On question "that the Report of the Committee be adopted" the House divided.

Ayes: 6.

Messrs. Franklin
Trimble
Dennes
Powell
Carswell
Southgate

Noes: 5.

Messrs. De Cosmos
Dickson
Tolmie
Street
Bayley

In reply to Mr. De Cosmos, Mr. Speaker stated that he had taken the opinion of Counsel upon the question of Privilege above mentioned.

In Committee of the whole House. The House then took under consideration (in Committee) A Communication from His Excellency dated 10 Oct. 1864 the subject of "A Bill To provide for a permanent Salary for a Successor to the present Chief Justice."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report "A Bill To appropriate the Sum of Twelve hundred pounds sterling per annum from the General Revenue of the Colony for the Salary of a Chief Justice."

Ordered for tomorrow. First Reading of above Bill.

The House then went into Committee of the Whole upon the question of the Union of the Colonies of British Columbia and Vancouver Island.

Mr. Bayley in Chair of Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report progress and asked leave to sit again.

Ordered That Report be received and leave granted.

Mr. Duncan gave Notice of Motion for this day week.⁵

J. S. Helmcken

Thursday, the 13th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Street, Dennes, De Cosmos, Carswell, Franklin; and Drs. Dickson, Tolmie, Trimble.

The last Minutes having been read and confirmed.

⁵ Motion Book, p. 83: "I will move this day week that An address be presented to H. Excy. the Governor to know what Action has been taken with regard to Crown Lands of this Colony."

On motion by Mr. De Cosmos Seconded by Mr. Dennes "A Bill Entitled An Act to appropriate the Sum of Twelve hundred pounds Sterling per annum from the General Revenue of the Colony for the Salary of a Chief Justice."

Read a 1st time and Agreed to.

On motion by Mr. Street Seconded by Mr. De Cosmos Leave granted to bring in "A Bill Relating to the practise of Medicine and Surgery in Vancouver Island and its Dependencies."

Mr. Dennes gave Notice of Motion for Wednesday next "For leave to bring in A Bill to increase the jurisdiction of the Inferior Court of Civil Justice to the Sum of £200."

Mr. Franklin moved that "There be a call of this House for Friday the 21st day of October, to take into further consideration the question of the Union of the two Colonies."

The Order of the day having been read viz. That House go into Committee of the whole upon the question of the Union of the Colonies of British Columbia and Vancouver Island.

On question "That Mr. Speaker do leave the Chair" The House divided.

Ayes: 4.

Messrs. De Cosmos
Dickson
Street
Tolmie

Noes: 4.

Messrs. Trimble
Franklin
Carswell
Dennes

Mr. Speaker gave his casting vote in favor of the Ayes.

The House then went into Committee of the whole House upon the question of the Union of the Colonies of British Columbia and Vancouver Island.

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Subject had therein adopted a Series of Resolutions, as follows—

Resolved—That this House is of opinion,

1. That there should be a Federal Union of Vancouver Island and British Columbia;

2. That the Federal Government should be vested in a Governor and Federal Legislative Council;

3. That the Legislative Council be composed of an equal number of persons from each Colony;

4. That there shall be One Governor for both Colonies;

5. That the Governor and Federal Legislative Council should have jurisdiction over all public questions in which both Colonies have a common interest;

6. That the local Legislative Institutions in each Colony remain as they are;

7. That each local Legislature should have the right to determine the mode of taxation within its jurisdiction for Federal as well as local purposes;

8. That the Crown Revenues be the property of the Federal Government;

9. That all laws, usages, and liabilities of each Colony except where altered by Act of Federal Union remain as they are till changed by the Federal or local Legislatures respectively;

Resolved. That His Excellency the Governor be respectfully requested to enter into negotiation with His Excellency the Governor of British Columbia with the object of establishing a Federal Union of Vancouver Island and British Columbia, based on the provisions of the previous Resolution.

That His Excellency the Governor be respectfully urged to submit any question of difference, not affecting our free-trade policy, between himself and His Excy. the Governor of British Columbia, respecting the proposed Federal Union, to Her Majesty's Principal Secretary of State for the Colonies for final decision binding on both Colonies.

That a Committee of three be appointed to explain the views of this House as embraced in the foregoing Resolutions to His Excellency the Governor.

That the foregoing Resolutions be transmitted to His Excellency the Governor.

Ordered that above Resolutions be adopted.

Ordered for tomorrow "that the above Resolutions be brought up for consideration in the House."

J. S. Helmcken
Speaker

Friday, the 14th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Powell, Tolmie, Dickson, Trimble; and Messrs. De Cosmos, Dennes, Carswell, Southgate, Franklin, Street, Duncan.

The last Minutes having been read and confirmed.

Dr. Powell gave Notice of Motion for Monday next, for leave to introduce "A Bill Intituled 'A Provisional Act for the Election of Mayor and Councillors 1864.'"

Mr. Franklin rose to a question of Privilege—he charged that the Honble. Member for Saanich (Mr. Street) accepted last Tuesday an appointment under Government as Official Assignee made by the Chief Justice and confirmed by His Excellency the Governor.

Mr. Street denied that he had been appointed Official Assignee, and stated that had he been preferred to any such Appointment he would have placed his resignation as a Member of this House in the hands of Mr. Speaker.

Read a 2nd time and committed "A Bill Entitled An Act to appropriate the sum of Twelve Hundred Pounds Sterling per annum from the General Revenue of the Colony for the Salary of a Chief Justice."

The House then took under consideration the Report of the Committee of the whole House yesterday, viz. Certain Resolutions, in connexion with His Excellency the Governor's Communication 12th September 1864, upon the Union of the Colonies of British Columbia and Vancouver Island.

On question "that the Resolution do pass" Mr. Franklin moved An Amendment "That the Resolutions be printed and that the further consideration of the same be postponed till Wednesday next (19th)."

Mr. Speaker, in reply to a question by Mr. Franklin as to a Motion made by him yesterday in the matter of a Call of the House, stated that it was unusual to question decisions given by the Chair on the day subsequent to that on which they were given.

Mr. Duncan rose to a question of Privilege as to the interpretation of the 11th & 12th Victoria Cap. 98⁶ in the matter of the double Return for Victoria City.

Mr. Speaker ruled that a decision had already been given in the matter and concurred in by the House.

Dr. Trimble rose to a question of privilege, to ask whether Mr. Speaker had received the Resignation of the Honble. Member for Nanaimo.

Mr. Speaker informed the House that he had not received such Resignation.

Mr. Duncan then moved An Amendment "That the Resolutions be first sent to the Upper House or Legislative Council to secure unanimous Action of the two Houses before being submitted to the Governor."

The Amendment of Mr. Duncan was then put as against the Amendment of Mr. Franklin.

⁶ An Act to amend the Law for the Trial of Election Petitions, 1848.

Section 21: "And be it enacted, That if in the Case of an Election Petition complaining of a double Return the Member whose Return is complained of in such Petition have given Notice as aforesaid that it is not his Intention to defend his Return, and if no Party within the Period herein-before allowed for that Purpose, have been admitted to defend such Return, then, if there be no Election Petition complaining of the other Member returned on such double Return, it shall be lawful for the last-mentioned Member or other the Persons who subscribed the Petition complaining of such double Return to withdraw such Petition by Letter addressed to the Speaker; and thereupon the Order for referring such Petition to the General Committee of Elections shall be discharged, and the House shall give the necessary Directions for amending the said double Return, by taking off the File the Indenture by which the Person so declining to defend his Return was returned, or otherwise, as the Case may require."

Section 22: "And be it enacted, That in the first Session of every Parliament, on the Day after the last Day allowed by the House of Commons for receiving Election Petitions, and in every subsequent Session, as soon as convenient after the Commencement of the Session, the Speaker shall by Warrant under his Hand appoint Six Members of the House who are willing to serve, and against whose Return no Petition is then depending, and none of whom is a Petitioner complaining of any Election or Return, to be Members of a Committee to be called "The General Committee of Elections;" and every such Warrant shall be laid on the Table of the House, and, if not disapproved by the House in the course of the Three next Days on which the House meets for the Despatch of Business, shall take effect as an Appointment of such General Committee."

For Mr. Duncan's Amendment

Ayes: 1.

Mr. Duncan

Noes: 5.

Messrs. Franklin
Trimble
Dennes
Carswell
Dickson

Mr. Duncan's Amendment was therefore lost.

Mr. Franklin's Amendment was then put as against the Original Resolutions.

For Mr. Franklin's Amendment

Against Mr. Franklin's Amendment

Ayes: 5.

Noes: 6.

Messrs. Franklin
Trimble
Dennes
Carswell
Duncan

Messrs. Tolmie
Dickson
De Cosmos
Powell
Southgate
Street

The Amendment was therefore lost.

The Report of the Committee of the Whole House (of yesterday) viz. Certain Resolutions, in connexion with His Excy. the Governor's Communication, 12 Sept. 1864, upon the Union of the Colonies of British Columbia and Vancouver Island was then put and Carried.

Ordered for Monday next.

The Consideration in Committee of the whole House, of a Communication from His Excy. the Governor dated 11th Oct. 1864 in the matter of the "Victoria Harbour Dredging Machine."

Also, in Committee of the Whole House, "A Bill Entitled An Act to appropriate the Sum of Twelve Hundred Pounds Sterling per Annum from the General Revenue of the Colony for the Salary of a Chief Justice."

Also, In Committee of the whole House, The Report of the Select Committee on Education laid upon the table of the House on the 7th Inst.

The House then adjourned till Monday (17th Inst.) at 3 p. m.

J. S. Helmcken
Speaker

Monday, the 17th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Tolmie, Powell, Dickson; and Messrs. Carswell, De Cosmos, Southgate, Dennes, Duncan.

The last Minutes having been read and confirmed.

Mr. Speaker informed the House that he had appointed Messrs. Southgate, De Cosmos & Powell as a Select Committee to explain the views of this House upon the question of the Union of the Colonies of British Columbia and Vancouver Island, (in conformity with Para. 4 of certain Resolutions passed by the House on the 13th) to His Excellency the Governor.⁷

Dr. Dickson gave Notice of Motion "for leave to bring in 'A Bill entitled An Act relating to the Office of Coroner'."

Dr. Powell, pursuant to Notice (14th Inst.) moved for Leave to bring in "A Bill Entitled A Provisional Act for the election of Mayor and Councillors, 1864."

Seconded by Dr. Dickson.

Agreed to.

Dr. Powell, gave notice of motion for tomorrow "That an humble address be presented to His Excy. the Governor enquiring whether Resolutions recently adopted in this House respecting the Appointment of a Chief Justice have been sent to England; and if so, when?"

Mr. Franklin laid upon the table of the House "A Bill Entitled An Act to amend the Land Registry Act, 1860."

In Committee of the Whole House.

"A Bill To appropriate the Sum of Twelve hundred pounds sterling per Annum from the General Revenue of the Colony for the Salary of a Chief Justice."

Also, A Communication from His Excy. the Governor (No. 26) in the matter of the "Victoria Harbour Dredging Machine."

Also, The Report of the Select Committee on Education laid upon the table of the House on the 7th Inst.

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Subjects begged to report.

In regard to the first, viz. "The Chief Justices Permanent Salary Act, 1864." The Bill, complete as amended.

In regard to the Second, viz. A Communication from His Excy. the Governor in the matter of "The Victoria Harbour Dredging Machine." Progress, and asked leave to sit again.

In regard to the third, viz. The Report of the Select Committee on Education laid on table of the House on the 7th Inst. Progress, and asked leave to sit again.

Ordered that Report be received and leave granted in the above instances respectively.

Mr. Franklin gave Notice of Motion for Tuesday next "For Returns as to Application or Appointment of Charles Street Esqre. as Official Assignee."

⁷ Kennedy responded by inviting the House to meet with him on 19 October. Messages to House, No. 27, 18 October 1864.

Mr. Franklin gave Notice of Motion for Wednesday next "That Resolutions passed by this House relative to the Union of the Colonies be sent up to the Legislative Council."

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker

Tuesday, the 18th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Dickson, Tolmie, Powell, Trimble; and Messrs. Franklin, Duncan, Dennes, Carswell, De Cosmos.

The last Minutes having been read and confirmed.

Mr. Franklin asked leave to postpone his Resolution for "Returns as to the appointment of Charles Street Esqre. as Official Assignee" till tomorrow.

Agreed to.

Dr. Powell moved for leave to postpone his Resolution "That an humble address be presented to His Excy. the Governor enquiring whether the Resolutions recently adopted in this House respecting the appointment of a Chief Justice have been sent to England; if so, when?"

Agreed to.

Mr. De Cosmos gave Notice of Motion for 24th Inst. "That the House fix a day to go into Committee of the whole with the object of considering the advisability of constructing a Waggon Road connecting the City of Victoria with Nanaimo and Comax."

Mr. De Cosmos gave Notice of Motion for 25th Inst. "That the House name a day to go into Committee of the whole with the object of considering the advisability of taking measures to promote the construction of Flour Mills in the Agricultural districts and otherwise to assist in fostering Agriculture."

Mr. De Cosmos gave Notice of Motion for 25th Inst. "That the House fix a day to go into Committee of the whole with the object of devising means for the development of the Fisheries of Vancouver Island and of the waters contiguous thereto."

Read a 3rd time and passed "A Bill To appropriate the Sum of Twelve Hundred Pounds Sterling per Annum from the General Revenue of the Colony for the Salary of A Chief Justice."

The House ordered that "A Bill Entitled An Act to amend the Land Registry Act, 1860" be printed.

In Committee of the whole House "A Report of the Select Committee on Education laid on table 7th Inst."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Report of the Select Committee on Education begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 20th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Dickson, Tolmie, Trimble, Powell; and Messrs. Bayley, Southgate, Franklin, De Cosmos, Duncan.

The last Minutes having been read and confirmed.

Mr. Speaker informed the House that he had received from Charles Street Esqre. the resignation of his Seat as Member for Saanich District.

Mr. De Cosmos moved for a New Writ for a Member to represent "Saanich District," vice Street resigned.

Dr. Dickson Seconded.

Agreed to.

Mr. Franklin asked leave to withdraw the Resolution of which he had given Notice on the 17th Inst. "As to appointment of Charles Street Esqre. as official Assignee."

Mr. Speaker nominated Dr. Dickson to serve on the General Committee on Elections, vice Street resigned.

The House ordered that "A Bill Entitled An Act respecting the office of Coroner" be printed.

Mr. Franklin moved for leave to introduce "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery."

Ordered for tomorrow. 1st Reading of above Bill.

Mr. Franklin gave Notice of Motion For leave to introduce "A Bill Making the Act of the 19th and 20th Victoria Cap. 97⁸ applicable to Vancouver Island and consolidating and amending the law of foreign liabilities on foreign Actions and Judgments."

⁸ An Act to Amend the Laws of England and Ireland Affecting Trade and Commerce.

Mr. Franklin, pursuant to Notice, moved that (17 Oct.) "The Resolutions or a Copy of the Resolutions passed by this House relative to the Union of the Colonies be sent up to the Legislative Council."

Dr. Trimble seconded.

Mr. Speaker ruled the Resolution out of order. 1st as already having been decided against. 2nd that the Resolutions had been forwarded to His Excy. the Governor and were not any longer in the House.

Dr. Powell moved that the House fix tomorrow to take under consideration the Resolution "That an humble Address be presented to His Excy. the Governor enquiring whether the Resolutions recently adopted in this House respecting the Appointment of a Chief Justice have been sent to England; if so, when?"

Ordered for tomorrow.

Mr. Duncan pursuant to Notice (12th Inst.) moved "That An Address be presented to H. Excy. the Governor to know what Action has been taken with regard to the Crown Lands of this Colony."

Mr. Dennes 2nded.

Mr. De Cosmos moved An Amendment. "That a respectful address be presented to His Excy. the Governor praying that this House may be informed what Steps have been taken or are proposed to be taken by the Executive with respect to the Settlement between the Hudson's Bay Company and Crown respecting the Crown Lands of this Colony."

Dr. Trimble seconded.

On question "that the Original Resolution do pass" The House divided.
Question.

Ayes: 4.

Noes: 6.

Messrs. Duncan
Franklin
Tolmie
Dennes

Messrs. De Cosmos
Dickson
Trimble
Southgate
Bayley
Powell

Mr. Duncan's Resolution was therefore lost.

Mr. De Cosmos's Amendment was then put & carried.

Mr. Dennes, pursuant to notice, moved for leave to introduce "A Bill To increase the Jurisdiction of the Inferior Court of Civil Justice to the Sum of Two hundred Pounds."

Mr. Duncan seconded.

Ordered that leave be granted.

Ordered for tomorrow. "The Report of the Committee on Education."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 21st day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Mr. Speaker in the Chair and Messrs. Powell, Duncan, Dennes, De Cosmos, Tolmie.
The last minutes having been read and confirmed.

Mr. De Cosmos, from the Committee on Elections reported that the Petition of Charles Bedford Young Esqre. against the return of George Cruickshank Esqre. (in the matter of the double return for Victoria City) conforms with the Standing Orders of the House.

On motion by Mr. De Cosmos. Seconded by Mr. Dennes. The House ordered that Charles Bedford Young Esqre. be admitted to take his Seat as Member elect for Victoria City, and that the Clerk of the Crown in Chancery be instructed to remove the name of George Cruickshank Esqre. from the file.

Dr. Powell presented A Petition from the Mayor and Councillors of the City of Victoria praying the House to pass A School Bill on strictly non-sectarian principles.

Ordered to lie on the table.

On motion by Mr. Franklin. Seconded by Mr. Dennes. "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery" was Ordered to be printed.

On motion by Dr. Powell. Seconded by Mr. De Cosmos. The House took under consideration A Resolution "That an humble Address be presented to His Excellency the Governor enquiring whether the Resolutions recently adopted in this House respecting the appointment of a Chief Justice have been sent to England; if so, when?"

The House, having agreed that the words "if so, when" be stricken out of the Resolution, divided on question "that The Resolution be adopted."

Ayes: 3.

Noes: 3.

Messrs. De Cosmos
Powell
Tolmie

Messrs. Trimble
Dennes
Duncan

Mr. Speaker gave his casting Vote with the Ayes, in favor of the Resolutions.

Dr. Powell pursuant to notice moved for leave to introduce "A Bill Entitled A Provisional Act for the election of a Mayor and Councillors 1864."

Mr. De Cosmos seconded.

Agreed to—dissentiente Mr. Dennes.

Read a 1st time.

The Order of the day having been read, viz. The Consideration of the Report of the Committee on Education in Committee of the whole House, Mr. Dennes, and Mr. Duncan retired—and a Quorum not being left, the House adjourned till Monday the 24th Inst. at 3 p. m.

J. S. Helmcken

Monday, the 24th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Franklin.

Mr. Speaker proceeded to the reading the Minutes of yesterday, when it was noticed that (Mr. Franklin having retired) a Quorum was not present.

The House then adjourned till tomorrow.

J. S. Helmcken

Tuesday, the 25th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Tolmie, Dickson, Powell; and Messrs. Dennes, De Cosmos, Franklin, Southgate, Carswell, Duncan.

The last Minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege—to correct certain mis-statements which had appeared in the “Chronicle” Newspaper, in the report of the “Proceedings” in the House yesterday.

Mr. Young took the Oaths & his Seat for Victoria City.

Ordered for tomorrow. Second Reading of “A Bill To provide for the Election of a Mayor and Councillors for the City of Victoria on the 8th day of November A. D. 1864.”

Mr. De Cosmos, pursuant to notice, moved “That the House fix a day to go into Committee of the whole with the object of considering the advisability of constructing a Waggon Road connecting the City of Victoria with Nanaimo and Comax.”

(Mr. Dennes seconded).

On question that Monday next (31st inst.) be fixed the House divided.

Question.

Ayes: 6.

Noes: 3.

Messrs. Southgate
De Cosmos
Dennes
Tolmie
Dickson
Powell

Messrs. Young
Franklin
Duncan

Ordered for Monday next, the 31st Inst.

Mr. De Cosmos, pursuant to notice, moved "that the House fix a day to go into Committee of the whole with the object of devising means for the development of the Fisheries of Vancouver Island and of the Waters contiguous thereto."

Mr. Southgate seconded.

On question that Monday next (31st) be fixed Mr. Duncan moved An Amendment "that the consideration of the question be postponed for two Months."

Mr. Franklin seconded the amendment.

The House then divided.

For Mr. De Cosmos's Resolution

Ayes: 6.

Noes: 4.

Messrs. De Cosmos

Messrs. Carswell

Dickson

Young

Tolmie

Franklin

Dennes

Duncan

Powell

Southgate

Ordered for Monday next, the 31st Inst.

Mr. De Cosmos, pursuant to Notice, moved "That the House name a day to go into Committee of the whole with the object of considering the advisability of taking measures to promote the construction of flour-mills in the agricultural districts and otherwise to assist in fostering Agriculture."

Mr. Dennes seconded.

Ordered for Monday next.

Ordered that House go into Committee of the whole on Thursday next to report upon "A Bill Entitled An Act to amend the Land Registry Act, 1860."

Mr. Speaker read a Communication from His Excy. the Governor (No. 28) dated 24th Oct. 1864 stating that the Resolutions referred to in His Excy.'s Communication of the 10th Oct. 1864 (Res. confirmed by the Legislative Assembly 7th Oct.) had been forwarded to the Secty. of State for the Colonies.

Mr. Dennes gave Notice of Motion for 2nd Novr. for leave to introduce "A Bill To prevent unqualified persons from drawing conveyances."

The House then went into Committee of the whole upon the Report of the Committee on Education.

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the report of the Committee on Education had adopted therein the following Resolutions.

That there should be established in this Colony a system of Common Schools conducted by thoroughly competent trained teachers wherein the physical intellectual and moral training would be such as to make the Schools

attractive to all classes of the people. That provision be made for Separate Schools for females presided over by female teachers when practicable.

That in a community such as this where religious opinions are so diversified and where the benefits of a well devised Educational System should be extended to all, the reading of the Bible or the inculcation of religious dogmas in "Common Schools" would be unadvisable.

It is to be regretted that no permanent fund for "School purposes" has yet been created by the setting apart of certain portions of Crown Lands in each district. But as the Legislature has no control over these Lands Your Committee would recommend Your Honorable House to address His Excellency the Governor praying that such provision may now be made in the settled and other districts of the Colony in view of present and future requirements.

That an appropriation be made annually out of the General Revenue for the Establishment and maintenance of Common Schools in the settled districts of the Colony and in the City of Victoria.

That in the present stage of development of the Colony the following is submitted as the most appropriate method of inaugurating and carrying out a System of "Common Schools."

1. That a General Board of Education consisting of nine persons should be appointed by the Governor in Council.

2. That there be three School Trustees elected by the Residents of each School District.

3. That the appointment of a paid Superintendent should be made by the said Board subject to the approval of His Excy. the Governor.

4. That the Board of Education with the advice and assistance of the Superintendent should be empowered to establish School districts and their boundaries, to appoint teachers, to select books and to regulate all other matters connected with the organisation and general management of "Common Schools."

Your Committee would respectfully submit the above as briefly embracing the general principles upon which A School Act should be based and they would urge upon Your Honorable House the immediate necessity of the introduction and passage of such An Act.

Resolved that A Copy of the Resolutions as amended be transmitted to His Excellency the Governor.

Ordered that Report be received.

Ordered for tomorrow.

The consideration of the Resolutions reported from Committee of the whole House upon the subject of "Common Schools."

Also, In Committee. Communication from His Excy. the Governor on the Subject of "The Dredging Machine."

Also, 2nd Reading of "A Bill Entitled An Act to provide for the election of a Mayor and Councillors for the City of Victoria, on the 8th day of November, A. D. 1864."

J. S. Helmcken
Speaker

Wednesday, the 26th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Tolmie, Powell, Trimble, Dickson; and Messrs. Southgate, Franklin, Duncan, De Cosmos, Carswell, Dennes.

The last Minutes having been read and confirmed.

Order of the Day. The House took under consideration the Resolutions reported from Committee of the whole House yesterday upon the subject of "Common Schools" and Ordered that the Report be adopted.

On Motion by Dr. Powell Seconded by Mr. De Cosmos "A Bill Entitled An Act to provide for the election of a Mayor and Councillors for the City of Victoria on the 8th day of November 1864," was Read a 2nd time and committed.

Dissentientibus Messrs. Carswell, Dennes.

The House then went into Committee of the whole upon a Communication from His Excy. the Govr. (No. 26) on subject of the "Victoria Harbour Dredging Machine."

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the foregoing subject under consideration begged to report progress and asked leave to sit again.

Ordered that Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 27th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, Dennes, Young, Southgate, Duncan, Powell, Bayley.

The last Minutes having been read and confirmed.

Mr. Speaker read a Communication from His Excellency the Governor, as follows.

No. 29

Vancouver Island
Victoria, 26th Octr. 1864

To The Honble. The Speaker and Members of the Legislative Assembly

Gentlemen

In reply to the Resolution of the House praying to be informed what steps have been taken by the Executive with respect to the settlement between the Hudson's Bay Company and Crown respecting the Crown Lands of this Colony, I have to state for the information of the House that owing to difficulties and delays over which I had no control the most important document connected with the subject, namely the Evidence taken before the Committee of the House, reached my hands in a still imperfect condition on the 18th Octr. only.

The whole of this important and complicated question is now under careful consideration and the House will be informed as early as possible of the decision arrived at.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(sd.) A. E. Kennedy
Governor

Order of the Day. The House then went into Committee of the whole to report upon "A Bill Entitled An Act to amend The Land Registry Act 1860."

Mr. Speaker left the Chair.

Mr. Duncan in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the before mentioned Bill under consideration desired to report the Bill favorably to the House.

"A Bill Entitled An Act to amend the Land Registry Act, 1860" was then Read a first time.

The House then went into Comtee. of the whole upon "A Bill Entitled An Act to provide for the election of A Mayor and Councillors for the City of Victoria, on the 8th day of November, 1864."

Mr. Speaker left the Chair.

Mr. Duncan in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, had agreed to the same, as amended.

Ordered that Report be agreed to.

On Motion by Dr. Powell Seconded by Mr. De Cosmos The Standing Orders were suspended, and "A Bill Entitled An Act to provide for the Election of a Mayor and Councillors for the City of Victoria, on the 8th day of November, 1864" was Read a 3rd time and passed.

The House then adjourned till tomorrow.

J. S. Helmcken

Friday, the 28th day of October, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Drs. Tolmie, Dickson; and Messrs. Dennes, Young.

The last Minutes having been read & confirmed.

"A Bill Entitled An Act to amend the Land Registry Act, 1860" was Ordered to be read a 2nd time on Tuesday next.

On Motion by Mr. Dennes Seconded by Dr. Dickson "That House do adjourn till Tuesday next, 1st Novr." The House divided.

Question.

Ayes: 3.

Noes: 1.

Messrs. Dennes
Dickson
Tolmie

Mr. Young

The Motion was therefore carried, and the House adjourned till Tuesday next.

J. S. Helmcken
Speaker.

Tuesday, the 1st day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Young, Dennes, Southgate, Duncan, Bayley, De Cosmos; and Dr. Powell.

The last Minutes having been read and confirmed.

Mr. Speaker read A Communication from His Excellency the Governor (No. 30) as follows.

No. 30

Vancouver Island
Victoria, 31st Oct. 1864

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to submit for the information and consideration of the Legislative Assembly the Copy of a Despatch received from Her Majesty's Secretary of State for the Colonies.

The management of the Crown Revenues of this Colony is at present on a most unsatisfactory footing, and I would earnestly desire the final decision of the Legislature on the proposal of Her Majesty's Government with reference thereto before I assume the undivided responsibility of applying the necessary reforms. The inconveniences and injuries to the public interests arising from the present uncertain and unsettled state of this question, are serious and numerous.

The consideration of the important subject of emigration must be deferred pending its settlement. The growing difficulties with the Indian population must continue to increase while the extent of their lands is undefined and their just claims unliquidated.

The Estimates for the Year 1865 cannot for the same reason be prepared or proper provision made for the conduct of the Government.

The House will learn from the Despatch now laid before them that it is incumbent upon me, in the event of their declining to take over the Crown Revenues, to furnish in respect of those Revenues, Estimates for the ensuing Year and Accounts of the Receipts and Expenditure for past years with a view to their being properly audited.

This course will necessitate the adjustment of the Account between the local Government and the Crown and a refund of the amount advanced from the Crown Revenues for Colonial purposes under the Resolutions of Indemnity passed by the Legislative Assembly on 2nd July 1864 together with all other Sums appropriated without due authority. There are numerous minor complications and difficulties daily arising out of this unsettled question.

It may be proper for me to state my opinion that, whatever the decision arrived at by the House on the question, it will in no way impair the rights of the Colony or prejudice the claims asserted by the Legislative Assembly against the Hudson's Bay Co. in their Resolutions of the 27th June 1864.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(sd.) A. E. Kennedy
Governor.

Also A Communication (No. 31) from His Excellency the Governor, dated 1st Novr. 1864 acknowledging receipt of certain Resolutions passed by the Legislative Assembly (26th Octr.) on the subject of Common Schools.

Mr. Speaker then read a Communication from the Honble. The President of the Legislative Council Enclosing Amendments to "A Bill Entitled An Act respecting Barristers and Attorneys-at-law" which were Ordered for consideration tomorrow.

Also, Amendments by the Honble. the Council to a "Bill Entitled An Act to provide for the election of A Mayor and Councillors for the City of Victoria on the 8th day of Novr. A. D. 1864" as follows—

Clause 3 line 16. Strike out the word "the" and in lieu insert the word "three"

Clauses 7 and 8 to be struck out and the following to be inserted—"That each voter voting for a Mayor or Councillor or Councillors may be called upon by any Voter qualified to vote at such Election to take an Oath in the form or to the effect in the Schedule hereto."

Schedule

I, A. B. do hereby swear that I am the said A. B. mentioned in the revised list of Voters for the City of Victoria, and that I am entitled in my own right to vote for the election of a Mayor (or two Councillors for the ward of _____ as the case may be) in respect of (describe the nature of the qualification whether freehold or leasehold specifying the block and lot and where situated).

In the preamble, line 12 strike out the word "exceed" and insert "extend."

The foregoing Amendments were taken up seriatim, agreed to, and Read a 1st time and The Standing Orders having been suspended Read a 2nd [time] and passed.

On question that the Communication received from His Excy. the Governor this day "No. 30 dated Victoria 31st Oct. 1864' enclosing a Despatch No. 27 dated 1st Aug. 1864 from the Right Honble. the Secretary of State for the Colonies be the Order of the Day for Monday, 7th Inst."

The House divided.

Question.

Ayes: 3.

Noes: 2.

Messrs. De Cosmos

Messrs. Franklin

Dickson

Young

Dennes

The Resolution was therefore carried.

Ordered for tomorrow. 2nd Reading of "The Land Registry Amendment Act."

The House then adjourned till tomorrow.

J. S. Helmcken

Speaker.

Wednesday, the 2nd day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Carswell, Dennes, Powell, Duncan, Franklin, Tolmie, Southgate, Dickson, Young.

The last minutes having been read and confirmed.

J. J. Cochrane Esqre. took the Oaths and his Seat for Saanich District, vice Street resigned.

Ordered That the House go into Committee of the whole House tomorrow to report upon "A Bill Entitled An Act relating to the office of Coroner."

Mr. De Cosmos gave Notice of Motion for Monday, Novr. 15th "That the House fix a day to go into Committee of the whole with the object of considering the advisability of framing an Address to Her Majesty the Queen, and His Excy. the Governor, respecting an Alteration of the present constitution of the Legislative Council of this Colony."

Dr. Dickson gave Notice of Motion for Novr. 4th "That His Excellency the Governor be respectfully requested to furnish the House with copies of any order of the Queen in Council, establishing the Legislative Council of this Colony or in any way affecting the constitution of the Legislative Council."

On Motion by Mr. Franklin Seconded by Mr. Dennes "A Bill Entitled An Act to amend the Land Registry Act, 1860" was read a 2nd time.

On question that the Bill be committed Mr. Franklin moved An Amendment that the Bill be referred to a Select Committee.

The House Divided.

For the original question

Ayes: 6.

Noes: 2.

Messrs. De Cosmos

Messrs. Franklin

Dickson

Dennes

Young

Carswell

Powell

Southgate

The Bill was then Ordered to be committed.

The Amendments by the Honble. the Legislative Council being brought under consideration of the House Mr. De Cosmos moved that the Honble. the Legislative Council be invited to confer with the Legislative Assembly in the matter of "A Bill Entitled An Act respecting Barristers and Attorneys at law."

Mr. Dennes seconded.

Carried.

The House then went into Committee of the whole upon "A Resolution That the House fix a day to go into Committee of the whole with the object of considering the advisability of constructing A Waggon Road connecting the City of Victoria with Nanaimo and Comox."

Also upon "A Resolution That the House fix a day to go into Committee of the whole with the object of devising means for the development of the Fisheries of Vancouver Island and of the waters contiguous thereto."

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subjects.

In regard to the first had Resolved "That the attention of His Excellency be directed to the road and trail from this City to Comox with the view to ascertaining what additional Sum would be required to render it passable all the way for Vehicles, and to the making of Roads throughout the Colony generally, so that the matter may be taken in consideration in the Estimates."

In regard to the Second, A Resolution "That His Excellency the Governor be respectfully requested to place on the Estimates for the ensuing Fiscal Year a Sufficient Sum of Money to encourage an exploring expedition to be sent out to discover the extent locality and character of the Fisheries in and around the Shores of this Colony and contiguous thereto, and also to obtain information as to the most suitable Season of the Year and the kind of bait required for prosecuting the different fisheries."

Ordered for tomorrow. In Committee of the Whole House.

"A Resolution as to the advisability of taking measures to promote the construction of Flour Mills in the Agricultural districts and otherwise to assist in fostering agriculture."

Also, A Communication from H. Excy. the Governor (No. 26) on subject of "The Victoria Harbour Dredging Machine."

Also, "A Bill Entitled An Act respecting the office of Coroner."

The House then adjourned till tomorrow.

J. S. Helmcken

Thursday, the 3rd day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Franklin, Young, Cochrane; and Dr. Tolmie.

The last Minutes having been read and confirmed.

The House took under consideration and Confirmed the Resolutions reported from Committee of the whole yesterday.

In regard to the Road and trail between Victoria and Comox.

In regard to the Fisheries of the Colony.

The House then went into Committee of the whole "To consider the advisability of taking measures to promote the construction of flour Mills in the agricultural Districts and otherwise to assist in fostering Agriculture."

Mr. Speaker left the Chair.

Mr. Cochrane in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Subject had Resolved "That any person who shall erect a flour mill in any part of the Island that will produce fifty Barrels of good superfine flour per day to the satisfaction of competent Judges shall receive a premium of Twelve hundred and fifty Dollars."

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 4th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Duncan, Franklin, Trimble, Carswell, Young, Cochrane, Dickson.

The last Minutes having been read and confirmed.

A Communication was read from the Honble. the Legislative Council accepting the proposition transmitted by order of the House for a Conference to be holden on Monday the 7th Inst. in the matter of "A Bill Entitled An Act respecting Barristers & Attorneys at law."

Also, a Communication from the Honble. the Legislative Council transmitting an Amendment to the Short Title of "A Bill Entitled the Chief Justice's Permanent Salary Act 1864."

Amendment by the Honble. the Council Clause 3 line 3 Strike out the word "Permanent."

The House Ordered that the Amendment be considered as a clerical amendment only, and as not infringing with the Prerogative of the House in regard of Bills affecting Appropriations of Money.

The House further ordered that the foregoing Amendment be read a 1st time and agreed to.

On motion by Mr. De Cosmos 2nded by Mr. Franklin The Resolutions reported from Committee of the whole House yesterday in the matter of the "construction of Flour Mills in the Agricultural Districts" were recommitted.

The House then went into Committee of the whole upon A Communication from His Excy. the Governor (No. 26) on the subject of "The Victoria Harbour Dredging Machine."

Mr. Speaker left the Chair.

Mr. Cochrane in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of the "Victoria Harbour Dredging Machine" had therein agreed to the following Resolutions.

Resolved That this House after having had under consideration the message of His Excellency the Governor respecting the improvement of Victoria Harbour and the completion of the Dredging Apparatus is of opinion.

1. That there should be no unnecessary delay in the completion of the Dredge &c. and in setting them to work improving the Harbour.

2. That a sufficient Sum to complete the Dredge &c. and to meet the current expenses of carrying on the improvement of Victoria Harbour for one year be put in the Estimates for the next fiscal year. That His Excellency the Governor be authorised to appropriate Five thousand dollars out of the General Revenue towards the completion of the Dredge and other Machinery for the improvement of the Harbour.

3. That it be further recommended that the entire management of the improvement of Victoria Harbour be placed in the hands of a Commission of Five persons selected by the Governor from the Inhabitants of Victoria City and that the Executive be empowered to appoint an Engineer at a Salary not exceeding £500 per annum to be under the orders of the said Commissioners.

4. That this Resolution be transmitted to His Excellency the Governor.
Ordered that report be adopted.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 7th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Young, Duncan, Dennes, Franklin, Carswell, De Cosmos, Cochrane; and Drs. Trimble, Powell, Dickson.

The last Minutes having been read and confirmed.

Mr. Speaker appointed Messrs. De Cosmos, Powell and Dickson to be Managers of the conference with the Honble. The Legislative Council appointed to take place this day in the matter of "A Bill Respecting Barristers and Attorneys-at-law."

The House then adjourned to the Legislative Council Chamber.

The House being returned, Mr. Speaker took the Chair.

Mr. De Cosmos, from the conference, reported that the Conference had met and adjourned till Tuesday (15th Inst.).

Read a 1st time "A Bill Entitled An Act relating to the office of Coroner."

The House then took under consideration & confirmed the Resolutions reported from Committee of the whole House on the 4th Inst. on the subject of the "Victoria Harbour Dredging Machine."

Mr. De Cosmos gave Notice of Motion for Thursday (10th Inst.).⁹

On question "that House adjourn till Thursday (10th Inst.) The House divided.

Ayes: 8.

Messrs. Duncan
Dennes
Franklin
Cochrane
Carswell
Powell
Dickson
Trimble

Noes: 2.

Messrs. Young
De Cosmos

The House then adjourned till Thursday the 10th Inst.

J. S. Helmcken
Speaker

⁹ *Colonist*, 8 November 1864: "Mr. De Cosmos accordingly gave notice of a motion that the House meet for despatch of business on Thursday evening at 7 o'clock, and for four evenings every week thereafter, at the same hour."

Thursday, the 10th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Cochrane, Young, Franklin.

The last Minutes having been read and confirmed.

R. Burnaby Esqre., Member for Esquimalt & Metchosin District reported himself to Mr. Speaker on his return from leave of Absence.

Mr. Cochrane gave notice of motion for Wednesday, 16th inst. for "Returns of moneys spent on Roads in Saanich District."

Mr. De Cosmos moved A Resolution "That this House sit in the Evenings hereafter for the dispatch of business and that the first Evenings Sitting be held at 7 p. m. on Friday next and at the same hour on every succeeding Monday, Wednesday and Friday Evening."¹⁰

The Amendment by the Honble. the Council to a "Bill Entitled An Act to appropriate the Sum of Twelve Hundred Pounds per Annum from the General Revenue of the Colony for the Salary of a Chief Justice" was Read a 2nd time and agreed to.

Order of the Day. In Committee of the whole House.

A Communication from His Excellency the Governor (No. 30)¹¹ enclosing Copy of a Despatch from the Rt. Honble. the Secretary of State for the Colonies No. 27, 1st Aug. 1864.

On question "that Mr. Speaker do now leave the chair" Mr. Franklin moved an Amendment that the consideration of the above Subject be postponed till Monday next (14th inst.).

Mr. De Cosmos moved An Amendment that its consideration be postponed till tomorrow.

The Amendment of Mr. De Cosmos was then put as against the Amendment of Mr. Franklin.

Question.

For Mr. De Cosmos's Amendment

Ayes: 5.

Messrs. De Cosmos

Franklin [Young]

Cochrane

Burnaby

Dennes

Noes: 1.

Mr. Franklin

Mr. De Cosmos's Amendment was then put as against the original question and Carried unanimously.

Read a 2nd time and committed "A Bill Entitled An Act relating to the Office of Coroner."

(Dissentiente Mr. Young).

¹⁰ De Cosmos' original motion called for evening sessions on Monday, Wednesday, Thursday, and Friday, but he agreed to drop Thursday evening sittings from his motion. *Colonist*, 11 November 1864.

¹¹ Messages to House, 31 October 1864.

The House then went into Committee of the whole to report upon "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery." Also upon "A Resolution reported from Committee of the whole House on the 3rd Inst. and recommitted by the House on the 4th inst. on the subject of the construction of Flour Mills in the Agricultural Districts."

Mr. Speaker left the Chair.

Mr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Subjects

In regard to the first, begged to report the Bill favorably to the House.

In regard to the Second begged to report that the Committee had resolved "That His Excellency the Governor be respectfully requested to proclaim that if any person or persons shall erect a flour mill with the capacity to grind one hundred and twenty five bushels of wheat in one day in any agricultural district and shall make into superfine and fine flour with such mill Five hundred bushels of wheat grown in the Colony and give satisfactory proof thereof the Sum of Twelve hundred and fifty dollars shall be paid to every such person or persons provided always that such Sum shall extend only to the erection of one Mill and that the time within which the erection of such Mill shall take place shall be within one year from the date of proclamation. And this House hereby pledges itself to make good the payment of the said Sum out of the General Revenue."

Ordered that the report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 11th day of November, 1864

Present: Mr. Speaker and Messrs. De Cosmos, Young, Powell.

A Quorum not being present the House was counted out.

J. S. Helmcken

Monday, the 14th day of November, 1864

Present: Mr. Speaker and Messrs. De Cosmos, Young, Dickson.

A Quorum not being present the House was counted out.

J. S. Helmcken

Tuesday, the 15th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Young, Dennes, Duncan, Cochrane, Carswell, Burnaby; and Drs. Powell, Dickson.

The last Minutes having been read and confirmed.

Mr. De Cosmos, from the Conference with the Honble. the Legislative Council, reported that the Honble. the Legislative Council would communicate by message with this House in the matter of "A Bill Entitled An Act respecting Barristers and Attorneys."

The House then took under consideration and agreed to certain Resolutions reported from Committee of the whole House on the 10th Inst. in the matter of the erection of Flour Mills in the Agricultural Districts.

Read a 1st time "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery."

Mr. De Cosmos pursuant to notice moved that "The House fix a day to go into Committee of the whole to consider the advisability of framing an address to Her Majesty the Queen and His Excellency the Governor respecting an alteration of the present constitution of the Legislative Council of this Colony."

Dr. Powell seconded.

Agreed to.

Ordered for Tuesday next (22nd inst.).

Order of the Day. In Committee of the whole House. A Communication (No. 30) from His Excellency the Governor upon the Subject of the Crown Revenues of the Colony.

Mr. Speaker left the Chair.

Mr. Burnaby in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Communication begged to report progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House ordered that certain Resolutions laid upon the table of the Committee (as above) be printed.

Mr. De Cosmos presented a Petition from certain Settlers in Cowichan District against the Road Tax.

Ordered to lie on the table.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 16th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Dennes, Duncan, Cochrane, Burnaby, Young, Franklin; and Drs. Tolmie, Dickson, Powell.

The last minutes having been read and confirmed.

Order of the Day. The House went into Committee of the whole upon "A Bill To amend the Land Registry Act, 1860."

Mr. Speaker left the Chair.

Mr. Duncan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Mr. Franklin pursuant to notice asked for leave to introduce "A Bill making the Act of the 19th & 20th Vict. cap. 97 applicable to Vancouver Island & consolidating & amending the law of foreign liabilities on foreign Actions & judgments."

Mr. De Cosmos seconded.

Agreed to.

Ordered "That the House go into Committee of the whole on Friday next (18th Novr.) to report upon above Bill.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 18th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Young, Cochrane, Dennes, De Cosmos, Southgate, Carswell, Burnaby, Duncan; and Drs. Tolmie, Dickson.

The last minutes having been read and confirmed.

On motion by Mr. Dennes. Seconded by Mr. De Cosmos "A Bill To increase the Jurisdiction of the Inferior Court of Civil Justice to the Sum of Two hundred Pounds" was Read a first time & Ordered to go to a 2nd Reading.

The House then went into Committee of the whole upon A Communication (No. 30) from His Excy. the Governor upon the Subject of The Crown Revenues of the Colony. Also upon "A Bill making the Act of the 19th & 20th Vict. Cap. 97 applicable to Vancouver Island & consolidating and amending the law of foreign liabilities on foreign Actions and judgments."

Mr. Speaker left the Chair.

Mr. Cochrane in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report progress and ask leave to sit again. Also to report the above Bill favorably to the House.

Ordered that report be received and leave granted.

Ordered for Monday next 2nd Reading of "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery."

The House then adjourned till Monday next.

J. S. Helmcken
Speaker

Monday, the 21st day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Duncan, Dennes, Young, Bayley; and Drs. Dickson, Powell, Tolmie.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion.¹²

The House then took under consideration the report of the Committee of the whole yesterday and Ordered that "A Bill Making the Act of the 19th and 20th Victoria, cap. 97, applicable to Vancouver Island and consolidating and amending the law of foreign liabilities on foreign actions and judgments" be brought in.

Read a 2nd time and committed "A Bill Respecting the Medical Board and Practitioners in Medicine and Surgery."

The House then went into Committee of the whole upon A Communication from His Excellency the Governor (No. 30) upon the subject of the Crown Revenues of the Colony.

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

¹² *Colonist*, 22 November 1864: "Whereas it is expedient for the encouragement of agriculture and the settling up of the country as well as the general interests of the colony to offer rewards for the destruction of beasts of prey:

It is therefore Resolved, That this House respectfully requests His Excellency the Governor to offer the following rewards, viz.: To every person who shall kill a panther, wolf or bear within any of the districts of Victoria, Esquimalt, Metchosin, Sooke, Alberni, Lake, South Saanich, North Saanich, Cowichan, and adjacent districts, Nanaimo and adjacent districts, Comox and adjacent districts, and Salt Spring Island, \$15; provided that the person so killing a wolf, panther or bear bring the head thereof to the nearest Justice of the Peace, and there make oath that he did kill the said panther, wolf or bear in some of the before mentioned districts, and obtain a certificate from such Justice of the Peace to that effect."

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report the following Resolutions.

1. That this House regrets its inability to take over the Crown Lands and grant a Specific Civil List until the extent and nature of said Crown Lands shall be determined and submitted to this House.

2. That as a grant of the whole Island was made to the Hudson's Bay Company in 1849 without any reservation whatever for possessory rights of the said Company or any person or persons whatever, this House cannot recognise any such rights, as they were ignored by the grant and subsequently by the Colonial office.

3. That nevertheless possessory rights and others of an equally unwarrantable character have been introduced by the Hudson's Bay Company and inconsiderately admitted by H. M.'s Government under the Indenture of 3rd Feby. 1862 involving property it is presumed to about \$1,000,000. to the great prejudice of this Colony.

4. That this House, to whom the said Indenture was not submitted, prior to its execution, for the foregoing reasons denies the validity of it and therefore respectfully requests His Excellency to urge on H. M.'s Government a reconsideration of the said Indenture that the truth may be arrived at and a more just and final settlement speedily obtained.

5. That this House deplores the unsettled condition of the Crown Lands question and the injury and inconvenience resulting to the Colony and to the Executive, therefrom; but, willing as it is to grant a liberal Civil List and to co-operate with the Executive for the efficient Government of the Colony, This House feels imperatively called upon in justice to itself to first make an appeal to the justice and consideration of H. M.'s Government.

Ordered that report be received and agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken.
Speaker.

Tuesday, the 22nd day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Dennes, Franklin, Young, Burnaby, Cochrane, Duncan, Carswell; and Drs. Powell, Dickson.

The last minutes having been read and confirmed.

The House took under consideration the Resolutions reported from Committee of the whole yesterday upon the subject of His Excellency's Communication (No. 30) with Enclosure (No. 27) from the Right Honble. the Secretary of State for the Colonies in the matter of "The Crown Revenues of the Colony."

On question "that the Resolutions do pass" Mr. Franklin (seconded by Mr. Burnaby) moved An Amendment "That the Resolutions be recommitted."

The House then divided.

For the Resolutions

Ayes: 7.

Messrs. Young

Duncan

Dennes

Cochrane

Carswell

Powell

Dickson

Noes: 3.

Messrs. Franklin

Burnaby

De Cosmos

The Resolutions were therefore carried.

Order of the Day. The House then went into Committee of the whole upon "A Bill Entitled An Act relating to the Office of Coroner."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken

Speaker.

Wednesday, the 23rd day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Dennes, Duncan, Bayley, Young, Franklin, Carswell; and Drs. Dickson, Powell.

The last Minutes having been read and confirmed.

Order of the Day. In Committee of the whole House "A Bill Entitled An Act respecting the Office of Coroner."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Bill begged to report progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken

Speaker.

Thursday, the 24th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. DeCosmos, Dennes, Dickson, Young, Southgate, Bayley, Franklin, Cochrane.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos, Seconded by Mr. Franklin, "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862 and to make certain provisions in lieu thereof" was read a 1st time & Ordered to be printed.

The House then went into Committee of the whole upon "A Bill Entitled An Act relating to the office of Coroner."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete as amended.

Ordered that report be adopted.

The House adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 25th day of November, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Dennes, Carswell, Young, De Cosmos; and Drs. Dickson, Tolmie, Trimble.

The last minutes having been read and confirmed.

Read a 3rd time and passed "A Bill entitled An Act respecting the office of Coroner."

Order of the Day, in Committee of the whole House "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery."

Mr. Speaker left the Chair.

Dr. Tolmie in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the above Bill under consideration begged to report progress and ask leave to sit again.

Also, in Committee of the whole House "A Bill Entitled An Act to amend the Land Registry Act 1860."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, had agreed to the same as amended.

Ordered that the reports be received respectively.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 28th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dennes, Dickson, Powell, Franklin, Tolmie, Young, Cochrane.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from the Honble. the Legislative Council.

Vancouver Island.

Council Chamber
Victoria, 25th November 1864

To the Honble. the Speaker and Gentlemen of the Legislative Assembly
Gentlemen

I have the honor to inform Your Honorable House that the following Resolution passed the Legislative Council this day in reference to "A Bill respecting Barristers and Attorneys-at-law" viz. That it is the opinion of this Council that the amendment following will meet the wishes of the Honble. the Legislative Assembly, viz. In Clause 1 line 3 Insert between the words "admit" and "to Act" "And the said Supreme Court shall approve and admit." Respecting the 8th Clause of the Bill I am directed to inform you that the Legislative Council adheres to its wish that it be struck out.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(sd.) E. J. Nesbitt
Clerk of the Council

Ordered for Wednesday next 30th Inst.

Read a 3rd time and passed "A Bill To amend the Land Registry Act 1860."

Dr. Dickson pursuant to notice, asked the House to fix a day to go into Committee upon A Resolution requesting H. Excy. the Governor to offer rewards for the destruction of Panthers, Bears, Wolves, &c.

Ordered for tomorrow.

Dr. Dickson pursuant to notice moved a Resolution "That His Excellency the Governor be respectfully requested to furnish this House with copies of any order of the Queen in Council establishing the Legislative Council of this Colony or in any way affecting the constitution of the Legislative Council."

Seconded by Mr. De Cosmos.
Carried.

On motion by Mr. Dennes, seconded by Mr. Young "A Bill To increase the jurisdiction of the Inferior Courts of Civil Justice to the sum of Two hundred Pounds" was Read a 2nd time and committed.

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]).¹³

Order of the Day. Mr. De Cosmos asked leave to postpone the consideration in Committee of the Resolution of which he gave notice on the 2nd Inst. until the Returns moved for in the matter of the Legtve. Council, be received.

Ordered for Friday 2nd *proximo*.

The House then went into Committee of the whole upon "A Bill Respecting the Medical Board and Practitioners in Medicine and Surgery."

Mr. Speaker left the Chair.

Dr. Tolmie in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the foregoing Bill begged to report progress and ask leave to sit again.

Ordered that report be received & leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 29th day of November, 1864

Present: Mr. Speaker and Messrs. De Cosmos, Dickson.

A Quorum not being present the House was counted out.

J. S. Helmcken
Speaker

Wednesday, the 30th day of November, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Franklin, De Cosmos, Dennes, Bayley, Powell, Dickson.

The last minutes having been read and confirmed.

¹³ Motion Book, p. 87: "On Wednesday next I will ask leave to introduce A Bill entitled An Act to provide for taking a census of the Colony & for creating a Board of Statistics."

The House took under consideration the Amendments by the Honble. the Council to "A Bill Entitled An Act respecting Barristers and Attorneys-at-law" and agreed to the same respectively with the exception of Amendment, No. 3, viz. "Strike out Clause 2 &c." which amendment the House further amended by the insertion of the words "and the said Supreme Court shall approve admit and enrol" before the words "to act" in 3rd line.

On motion by Dr. Powell, Seconded by Dr. Dickson "A Bill Entitled An Act respecting Common Schools" was Read a 1st time and Ordered to be printed.

Mr. De Cosmos, pursuant to notice moved for leave to introduce "A Bill Entitled An Act to provide for taking the census of the Colony and for obtaining Statistical information."

Carried.

The House then went into Committee of the whole upon A Resolution "That His Excellency the Governor be respectfully requested to offer a reward for the destruction of certain Beasts of Prey &c."

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Subject begged to report the following Resolution.

That whereas it is expedient for the encouragement of Agriculture and the settling up of the Country, as well as the general interests of the Colony to offer a reward for the destruction of beasts of prey.

Be it therefore resolved that this House respectfully requests His Excy. the Governor to offer the following reward, viz. To every person who shall kill a Panther within the Districts of Victoria, Esquimalt, Metchosin, Sooke, Lake, South Saanich, North Saanich, Cowichan, Salt Spring Island and Chemainus the Sum of Ten dollars.

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 1st day of December, 1864

Present: Mr. Speaker and Messrs. Dennes, De Cosmos, Young.

A Quorum not being present the House did not sit.

J. S. Helmcken
Speaker

Friday, the 2nd day of December, 1864

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. Franklin, Young, Dennes, Southgate, De Cosmos; and Drs. Dickson, Powell.

The last minutes having been read and confirmed.

On motion by Mr. Franklin Seconded by Mr. De Cosmos "A Bill Entitled the Vancouver Island Mercantile Law Amendment Act, 1864" was read a 1st time and Ordered to be printed.

On motion by Mr. De Cosmos Seconded by Mr. Dennes "A Bill Entitled An Act to provide for taking the census of the Colony, and for obtaining Statistical information" was Read a 1st time and Ordered to be printed.

The House then took under consideration the Amendments by the Honble. the Legislative Council to "A Bill Respecting Barristers and Attorneys-at-law" with the Amendment by the Legislative Assembly to Amendment No. 3 (see f. 93 [p. 229 above]), viz. Before the words "to act" in 3rd line insert the words "And the said Supreme Court shall approve, admit, and enrol".

On question that the amendments by the Honble. the Legislative Council, do pass as amended Mr. De Cosmos moved a further Amendment (Seconded by Mr. Young) that at the end of Amendment No. 4 the following words be inserted.

"Provided that nothing in this Section shall extend to authorising the Supreme Court to make any rule respecting the attainments of any practitioner mentioned in the first and second section of this Act."

Question.

For Mr. De Cosmos's Resolution

Ayes: 4.

Messrs. De Cosmos
Young
Powell
Dickson

Noes: 3.

Messrs. Franklin
Southgate
Dennes

The Resolution was therefore carried and Read a 1st time.

The House then took under consideration the Resolution reported from Committee of the whole House on the subject of offering "a Reward for the destruction of certain beasts of prey."

On question "that the Resolution do pass" the House divided.

Ayes: 3.

Messrs. Dickson
Dennes
De Cosmos

Noes: 4.

Messrs. Young
Franklin
Powell
Southgate

The Resolution was therefore lost.

Order of the Day. In Committee Mr. De Cosmos asked leave to postpone the consideration in Committee of a Resolution touching the constitution of the Legislative Council, until Monday next (5th inst.).

Agreed to.

The House then went into Committee of the whole upon "A Bill To increase the jurisdiction of the Inferior Court of Civil Justice to the sum of Two hundred Pounds."

Mr. Speaker left the Chair.

Mr. Young in the Chair of the Committee.

Also upon "A Bill Respecting the Medical Board and Practitioners in Medicine and Surgery."

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bills begged to report the same complete respectively as amended.

Ordered That Report be received and agreed to.

Dr. Powell gave Notice of Motion (M. B. f. [blank]).¹⁴

The House then adjourned till Monday (5th inst.).

J. S. Helmcken
Speaker

Monday, the 5th day of December, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Burnaby, Cochrane, Carswell, Dennes, De Cosmos, Dickson, Franklin, Young.

The last minutes having been read and confirmed.

Mr. Speaker read certain Communications from His Excellency the Governor as follows.

No. 32 dated Decr. 3rd 1864 Acknowledging receipt of certain Resolutions passed by the Legislative Assembly on the 7th Novr. 1864 on the subject of the improvement of Victoria Harbour and the completion of the Dredging Machine &c. and transmitting A Report¹⁵ from the Acting Surveyor General on the subject, dated 29th Novr. 1864.

Also No. 33 dated Decr. 3rd 1864 acknowledging receipt of certain Resolutions passed by the House on the 21st Ult. on the subject of the Crown

¹⁴ Motion Book, p. 88: "I give notice that at a future day I will ask leave to introduce a Bill respecting the registration of births marriages & deaths in the Colony of V. I. and its Dependencies."

¹⁵ See memo by B. W. Pearse, "Dredger & Tug," 29 November 1864, Colonial Correspondence, Vancouver Island, Lands and Works Dept., PABC.

Lands and Revenue of the Colony and signifying His Excy.'s intention of forwarding the same to H. M.'s Government.

Also No. 34 dated Decr. 3rd 1864 acknowledging receipt of certain Resolutions passed by the House on the 2nd Ult. in the matter of "The fisheries of the Colony."

Also No. 35 dated Decr. 3rd 1864 "acknowledging receipt of certain Resolutions passed by the Legislative Assembly on the 10th Ult. relative to the Erection of Flour Mills in the Agricultural Districts."

Also No. 36 dated Decr. 3rd 1864 acknowledging receipt of certain Resolutions passed by the Legislative Assembly on the 28th Ult. requesting information relative to "The Constitution of the Legislative Council."

Also No. 37 dated Decr. 3rd 1864 Acknowledging receipt of certain Resolutions passed by the House on the 3rd Novr. 1864 on the subject of A Road and Trail from Victoria to Comox with copy of a Report¹⁶ in detail from the Acting Surveyor General on that subject.

Read a 3rd time and passed "A Bill To increase the Jurisdiction of the Inferior Court of Civil Justice of Vancouver Island to £200."

The House then took under consideration and agreed to the Amendments by the Honble. the Legislative Council to "A Bill Entitled An Act respecting Barristers and Attorneys-at-law" with Amendments by the Legislative Assembly.

On motion by Dr. Dickson Seconded by Mr. Dennes "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery" was recommitted.

Order of the Day. In Committee of the whole House. "Resolution That His Excellency the Governor be respectfully requested to furnish this House with copies of any Order in Council establishing the Legislative Council of this Colony, or in any way affecting the constitution of the Legislative Council."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Resolution begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Mr. Dennes gave Notice of Motion.¹⁷

J. S. Helmcken
Speaker

¹⁶ See Pearse to Acting Colonial Secretary, 28 November 1864, *ibid.*

¹⁷ Motion Book, p. 87: "I give notice that I shall on Monday 19th Decr. 1864 ask leave to introduce A Bill to amend the Law as to Imprisonment for Debt."

Tuesday, the 6th day of December, 1864

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Powell, Young, Franklin.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos Seconded by Dr. Powell "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862 and to make certain provisions in lieu thereof" was Read a 2nd time and committed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 7th day of December, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in Chair and Messrs. Dennes, De Cosmos, Dickson, Young, Powell.

The last Minutes having been read and confirmed.

Order of the Day. In Committee of the whole House. "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery" reported from Committee on the 2nd Inst. recommitted on 5th inst.

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill as recommitted begged to report the same complete as amended.

Ordered that report be received and agreed to.

The House then adjourned till Friday next.

J. S. Helmcken
Speaker.

Monday, the 12th day of December, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair; Messrs. De Cosmos, Dennes, Dickson, Young, Franklin; and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

"A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery" was Read a 3rd time and passed.

Order of the Day—in Committee of the whole House On question that "Mr. Speaker do leave the Chair" upon the Order of the day, viz.: "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862 and to make certain provisions in lieu thereof."

Dr. Tolmie moved an Amendment, seconded by Mr. Young, "that the consideration in Committee of the above Bill be postponed till 2nd Jany. 1865."

Mr. De Cosmos, seconded by Mr. Franklin, moved An Amendment "that the consideration in Committee of the above Bill be postponed till tomorrow."

For Mr. De Cosmos's Amendment

Ayes: 4.

Messrs. De Cosmos
Franklin
Powell
Dickson

Noes: 4.

Messrs. Tolmie
Young
Trimble
Dennes

Mr. Speaker gave his casting vote in favour of Mr. De Cosmos Resolution which was therefore carried.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 13th day of December, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Dennes, Cochrane, Burnaby, Franklin, Young, and Drs. Powell, Trimble, Tolmie, Dickson.

The last minutes having been read and confirmed.

Order of the Day.

On question that "Mr. Speaker do now leave the Chair" on the Order of the Day viz.: "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862 and to make certain provisions in lieu thereof" (adjourned from yesterday).

Dr. Dickson moved An Amendment Seconded by Mr. Burnaby "That the House do adjourn till Friday next."

Question.

For Dr. Dickson's Amendment

Ayes: 4.

Messrs. Dickson
Franklin
Burnaby
Carswell

Noes: 4.

Messrs. Powell
Trimble
Dennes
Cochrane

Mr. Speaker gave his casting vote in favor of the amendment.

The House then adjourned till Friday next.

J. S. Helmcken

Friday, the 16th day of December, 1864

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Dennes, Burnaby, Southgate, Franklin, Tolmie.

The last minutes having been read and confirmed.

Mr. Franklin, seconded by Mr. Dennes, moved First Reading of "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace & Stipendiary Magistrates in Civil cases."

Read a 1st time and Ordered to be printed.

Read a 2nd time and committed "A Bill Entitled An Act to provide for taking the census of the Colony and for obtaining other statistical Information."

The House then adjourned till Monday (19th Inst.).

J. S. Helmcken
Speaker

Monday, the 19th day of December, 1864

Present: Mr. Speaker, Dr. Dickson, and Mr. Dennes.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker.

Tuesday, the 20th day of December, 1864

Present: Mr. Speaker and Mr. Dennes.

A Quorum not being present, the House did not sit.

J. S. Helmcken

Tuesday, the 3rd day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Burnaby, Franklin, Dickson.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of motion (see M. B. f. [blank]).¹⁸

On motion by Mr. Burnaby, Seconded by Mr. De Cosmos The House adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 4th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Bayley, Burnaby, Carswell, Dennes, De Cosmos, Cochrane, Franklin, Young, and Drs. Dickson, Tolmie, Powell.

The last minutes having been read and confirmed.

Mr. Speaker read a Communication (No. 38) from His Excellency the Governor, transmitting the Blue Book for the Colony of Vancouver Island for the year 1863.

Dr. Dickson asked leave to postpone the Motion of which he gave notice on the 3rd inst. until the Estimates for the year 1865 shall have been received.

Ordered that leave be granted.

Mr. Young gave Notice of Motion for leave to introduce, in Committee of Ways and Means, a Series of Resolutions to equalise Taxation in Vancouver Island.

Order of the Day. In Committee of the whole House On question that "Mr. Speaker do now leave the chair" upon the order of the Day, viz.: "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof."

Mr. Franklin, seconded by Mr. Young, moved an Amendmt. "That the consideration in Committee of the above Bill be postponed until the Estimates for the year 1865 shall have been received."

¹⁸ Motion Book, p. 88: "I give notice that tomorrow I will ask the House to fix a day for the purpose of taking into consideration the necessity of levying a Poll Tax of one dollar on each adult person coming into this Colony, such tax to be applied to the support of the Royal Hospital."

Question.

For Mr. Franklin's Amendment

Ayes: 6.

Messrs. Dickson
Tolmie
Burnaby
Carswell
Dennes
Bayley

Noes: 4.

Messrs. Cochrane
De Cosmos
Powell
Franklin

The Amendment was therefore carried.

In Committee of the whole House "A Bill Entitled An Act to provide for taking the census of the Colony and for obtaining other Statistical information."

Mr. Speaker left the Chair.

Dr. Dickson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete, as amended.

Ordered—that report be received.

Mr. Burnaby presented a petition from certain Property-holders in the city and suburbs of Victoria against the "Incorporation Bill" now before the House.

Ordered to lie on the table.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 5th day of January, 1865

Present: Mr. Speaker, Messrs. De Cosmos, Young, and Dr. Dickson.

A Quorum not being present, the House did not sit.

Speaker.

Friday, the 6th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Powell, Tolmie, and Messrs. Carswell, Dennes, Burnaby, Franklin, De Cosmos, Young.

The last minutes having been read and confirmed.

Read a 3rd time and passed "A Bill Entitled An Act to provide for taking the Census of the Colony and for obtaining other Statistical information."

On motion by Dr. Dickson, seconded by Dr. Powell "A Bill Entitled An Act respecting Common Schools" was Read a 2nd time and committed.

On motion by Mr. De Cosmos, seconded by Mr. Dennes "A Bill Entitled An Act to amend the law of Vancouver Island and its Dependencies affecting trade and commerce, and to repeal and consolidate 'The limitation of Foreign Actions Act, 1860' and 'The extension of the Limitation of Foreign Actions Act, 1861' and to declare and define the law with regard to the limitation of actions upon foreign liabilities" was Read a 2nd time and committed.

The House then went into Committee of the whole upon the above Bill.

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, begged to report the Bill complete without amendment.

Ordered that report be received.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 9th day of January, 1865

Present: Mr. Speaker and Messrs Franklin, De Cosmos, Dennes.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker

Tuesday, the 10th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Dennes, Carswell, Cochran, and Drs. Dickson, Tolmie, Powell.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 39

Vancouver Island
Victoria, 9th Jany. 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

Referring to my Message dated the 3rd Ultio. I have the honor to acquaint you that I have been unable to find more information relative to the constitution of the Legislative Council than is contained in my commission and the Royal Instructions copies of which have already been placed before the Legislative Assembly.

I have the honor to be,
Gentlemen,
Your most obedient Servant

(Sd.) A. E. Kennedy
Governor

Read a 3rd time and passed "A Bill Entitled An Act to amend the law of Vancouver Island and its Dependencies affecting trade and commerce, and to repeal and consolidate 'The Limitation of Foreign Actions Act, 1860,' and 'The Extension of the Limitation of Foreign Actions Act 1861' and to declare and define the law with regard to the limitation of Actions upon Foreign liabilities."

In reply to Dr. Tolmie, Mr. Speaker informed the House that the information applied for in certain Resolutions agreed to in the House on the 28th Sepr. and transmitted to His Excellency the Governor on the 29th Sepr. relative to the number of persons tried for, and convicted of, selling liquor to Indians &c,—had not yet been received.

Mr. Dennes pursuant to notice moved for leave to bring in "A Bill To amend the law relating to imprisonment for debt."

Dr. Dickson seconded.

Carried.

Mr. De Cosmos gave Notice of Motion for tomorrow for leave to bring in "A Bill Entitled An Act respecting Weights and Measures."

Order of the Day.

In Committee of the whole House—"A Bill Entitled An Act respecting Common Schools."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, begged to report progress, and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 11th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, Dennes, Carswell, Young, De Cosmos, Dickson.

The last minutes having been read and confirmed.

Mr. Franklin gave Notice of Motion for Monday next (16) "That a joint address of the Legislature of Vancouver Island be forwarded to His Excellency the Governor requesting him to communicate to the Government of British Columbia the desire of this Colony that in view of the joint interests and convenience of the two Colonies that measures may be taken to create a concurrent jurisdiction between their Courts of Civil and criminal Justice and if possible to form a Court of Appeal for the hearing of all cases local or otherwise."

On Motion by Mr. De Cosmos, seconded by Dr. Dickson Ordered—that leave be granted to bring in "A Bill Entitled 'An Act respecting Weights and Measures'."

Dr. Dickson gave Notice of Motion for tomorrow—"That His Excy. the Governor be respectfully requested to furnish this House with a Copy of his commission and instructions from H. M. Government."

On Motion by Dr. De Cosmos, seconded by Mr. Dennes Ordered—that leave be granted to bring in "A Bill Entitled An Act respecting the descent of real and personal property."

Order of the Day—in Committee "A Bill Entitled An Act respecting Common Schools."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 12th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Franklin, Duncan, Dennes, De Cosmos, Dickson.

The last Minutes having been read and confirmed.

Dr. Dickson, pursuant to notice, moved A Resolution "That His Excellency the Governor be respectfully requested to furnish this House with a Copy of his Commission and instructions from H. M. Government."

The Resolution was not seconded.

Order of the Day—in Committee of the whole House "A Bill Entitled An Act respecting Common Schools."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Bill begged to report progress and ask leave to sit again.

Ordered that Report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 13th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, De Cosmos, Franklin, Young, Burnaby, Cochrane, Duncan, and Drs. Dickson, Powell.

The last minutes having been read and confirmed.

Mr. Young gave notice of Motion for leave to bring in "A Bill To amend the present Road Act."

Dr. Dickson gave Notice of Motion for Monday next "To ask the House to fix a day to take into consideration His Excellency the Governor's Communication (No. 39) dated 9th January 1865."

Mr. Speaker then read a Communication (No. 40)¹⁹ from His Excellency the Governor dated 13th Jany. 1865 giving cover to the Estimates for the Year 1865—also to a letter, explanatory thereof, by the Honble. the Acting Colonial Secretary.

Mr. De Cosmos, seconded by Dr. Dickson, moved "That the Estimates and letter explanatory thereof by the Acting Colonial Secretary be printed."

Carried.

Mr. Young moved that the consideration in Committee of "A Bill Entitled An Act respecting Common Schools" be postponed till Monday next.

Agreed to.

¹⁹ Kennedy's letter, the Estimates, and Acting Colonial Secretary Henry Wakeford's explanatory letter are reprinted in full in the *Colonist*, 14 January 1865.

Mr. Burnaby moved that the House fix a day to go into Committee "That a supply be granted for the use of Her Majesty."

Ordered for Friday next.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 16th day of January, 1865

Present: Mr. Speaker, Dr. Powell, and Mr. De Cosmos.

A Quorum not being present the House did not sit.

J. S. Helmcken
Speaker

Tuesday, the 17th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Bayley, De Cosmos, Franklin, and Drs. Dickson, Powell.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication (No. 41) from His Excellency the Governor.

[No. 41]

Vancouver Island
Victoria, 14th Jany. 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor to submit a Communication received from the Acting Town Clerk on behalf of the Corporation of the City of Victoria on the subject of overdue Municipal Council Debentures amounting to \$10,170 with a view to receiving the Authority of the Legislative Assembly for the liquidation of the same out of the General Revenue, pending any measures which the Legislature may adopt for the recovery of that sum from the City.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

For Enclosure—see Letter Book.²⁰

Ordered for Friday next (21st inst.) in Committee.

²⁰ William Leigh to Henry Wakeford, 10 January 1865, *ibid*.

Mr. Speaker then read the following Communication from the Honble. The Legislative Council.

Council Chamber
Vancouver Island
Victoria, 17th Jany. 1865

To The Honble. The Speaker and Gentlemen of the Legislative Assembly
Gentlemen,

I have the honor to acquaint you that the further Amendments made by Your Honble. House to the amendments of the Legislative Council to "A Bill Entitled An Act respecting Barristers & Attorneys-at-law" have been agreed to by the Council.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) E. J. Nesbitt

Dr. Dickson, pursuant to notice, brought up a Resolution "That the House fix a day to go into Committee of the whole to take into consideration His Excellency the Governor's Communication dated 9th Jany. 1865."

Seconded by Mr. De Cosmos.

Agreed to.

Ordered for Friday next.

On motion by Mr. De Cosmos, seconded by Dr. Dickson Ordered That the House go into Committee on Friday next to report upon "A Bill Entitled An Act respecting Weights and Measures."

On motion by Mr. Young, seconded by Dr. Powell, Ordered "That the House go into Committee of the whole on Friday next to report upon 'A Bill To amend the Road Act, 1860'."

Mr. Franklin moved for leave to postpone the Resolution of which he gave notice on the 11th inst. for one week.

Ordered that leave be granted.

Order of the Day.

The House then went into Comtee. of the whole upon "A Bill Entitled An Act respecting Common Schools."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Bill, begged to report the same complete as amended.

Ordered that Report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 18th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Young, Duncan, Powell, Cochrane.

The last minutes having been read and confirmed.

A Communication was read from the Honble. the Legislative Council transmitting
"A Bill Entitled the Declaration of Title Act, 1865."

Order of the Day.

3rd Reading of "A Bill Entitled An Act respecting Common Schools."

On question "that above Bill be read a 3rd time" Dr. Powell, seconded by Mr. Cochrane, moved An Amendment "that the above Bill be now recommit-
mitted."

Agreed to.

Mr. Speaker left the Chair.

Mr. Cochrane in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received & leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 19th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, Duncan, Bayley, De Cosmos,
and Dr. Dickson.

The last minutes having been read and confirmed.

Order of the Day, in Committee of the whole House "A Bill Entitled An Act
respecting Common Schools."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete with Amend-
ments.

Ordered That Report be received.

The House then adjourned till tomorrow.

J. S. Helmcken

Friday, the 20th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, De Cosmos, Young, Bayley, Cochrane, Duncan, Dennes, Carswell, and Drs. Trimble, Tolmie, Dickson.
The last minutes having been read and confirmed.

Mr. De Cosmos gave Notice of Motion for Monday next "That the House fix a day to go into Committee of the whole to take into consideration the State of the Colony."

Special Order of the Day.

On motion of Mr. De Cosmos Ordered—That Monday next (23rd inst.) be appointed for the House to go into Committee of Supply.

Read a 3rd time and passed "A Bill Entitled An Act respecting Common Schools."

Read a 2nd time and committed "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases."

Order of the Day.

In Committee of the whole House A Communication from His Excellency the Governor "No. 39, dated 9th January, 1865."

Also upon A Communication from His Excellency the Governor "No. 41, dated 14th January, 1865" on the subject of overdue Municipal Debentures amounting to \$10,170.00.

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Communications from His Excellency the Governor begged to report.

In regard to the first (39) progress, and ask leave to sit again.

In regard to the second (41) A Resolution that this House after having had under consideration His Excellency the Governor's Message respecting the Municipal Debentures of the City of Victoria respectfully recommends His Excellency the Governor to pay the same out of the General Revenue and this House pledges itself to make good the same.

Ordered that Report be received.

The House then went into Committee of the whole to report upon "A Bill Entitled An Act respecting Weights and Measures."

Also upon "A Bill Entitled An Act to amend the Road Act, 1860."

Mr. Bayley in the Chair.

The Chairman reported that the Committee having had under consideration the above Bills.

In regard to the first, begged to report the same favorably to the House;
In regard to the second, begged to report progress and ask leave to sit again.
Ordered that report be received and leave granted.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 23rd day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Dennes, Burnaby, Duncan, Carswell, Bayley, De Cosmos, Cochrane, Young, and Drs. Trimble, Tolmie, Powell.

The last Minutes having been read and confirmed.

The House took under consideration and confirmed the Resolution reported from Committee of the whole House yesterday upon the subject of His Excellency the Governor's Communication "No. 41, dated 14th Jany. 1865", viz.: "Overdue Municipal Debentures amounting to \$10,170.00."

Read 1st time and Ordered to be printed "A Bill Entitled An Act respecting Weights and Measures."

Special Order of the Day—In Committee of Supply "A Resolution That a Supply be granted for the use of Her Majesty."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Resolution had "Resolved—That a supply be granted for the use of Her Majesty."

Ordered that Report be agreed to.

On motion by Mr. De Cosmos, seconded by Dr. Tolmie, Ordered "that tomorrow be fixed for the House to take into consideration in Committee A Resolution (see R. fol. 118 [p. 245 above] for Notice) upon "The State of the Colony."

Ordered "That Tuesdays, Thursdays, Fridays, be set apart for the discussion of Questions of Supply."

On motion by Mr. De Cosmos, seconded by Mr. Franklin "A Bill [to grant] Jurisdiction to J. P.'s in civil cases" (in Committee) was postponed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 24th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Bayley, Carswell, De Cosmos, Dennes, Duncan, Cochrane, Franklin, Young, and Drs. Dickson, Tolmie, Powell, Trimble.

The last minutes having been read and confirmed.

Order of the Day, in Committee of the whole House—A Resolution “That the House take into consideration in Committee the State of the Colony.”

Mr. Speaker left the Chair.

Mr. Bayley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Resolution begged to report progress and ask leave to sit again.

Ordered that report be received & leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 25th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Bayley, Carswell, Cochrane, Dennes, Duncan, Young, Southgate, De Cosmos, Franklin, and Drs. Trimble, Tolmie, Dickson.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Order—to ask Mr. Speaker whether certain Resolutions laid upon the table of the Committee (yesterday) upon “The State of the Colony” were in order, or not; exception having been taken thereto from the fact that allusion was therein made to the question of the Union of the Colonies of British Columbia and Vancouver Island; tho’ in a different form to that under which the subject had already been taken action upon by this House during the present Session.

On ruling by Mr. Speaker “That the Committee of the whole House might, if it deemed necessary, admit the said Resolutions” Ordered that the Resolutions in question be in order.

Order of the Day in Committee of the whole House “A Resolution that the House take into consideration in Committee ‘The State of the Colony.’”

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Resolution had resolved

That this House after having taken into consideration the present state of the Colony is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public Service.

And that the immediate Union of this Colony with British Columbia under such constitution as Her Majesty's Government may be pleased to grant, is the means best adapted to prevent permanent causes of depression, as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity.

And this House pledges itself in case Her Majesty's Government shall grant such Union, to ratify the same by legislative enactment if required.

Resolved That the above Resolution be transmitted to His Excellency the Governor with the respectful request that he may take the same into his earnest and immediate consideration.

Ordered that report be received and agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 26th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Young, De Cosmos, Franklin, Duncan, Dennes, Carswell, Cochrane, Bayley, and Drs. Dickson, Tolmie, Trimble.

The last minutes having been read and confirmed.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Supply" begged to report progress & ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 27th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Bayley, Burnaby, De Cosmos, Dennes, Duncan, Carswell, Southgate, Cochrane, Young, Franklin, and Drs. Dickson, Powell, Tolmie.

The last minutes having been read and confirmed.

Mr. Burnaby presented a Petition from the Chamber of Commerce of Victoria, in favor of the present system of a "Free Port" and against the introduction of a "Tariff."

Ordered "to lie on the table."

On question that the Resolutions reported from Committee of the whole House on the 25th Inst. on the "State of the Colony" be read a 2nd time.

Mr. Young moved that the said Resolutions be recommitted.

Mr. Speaker informed the House that in the event of a Debate ensuing upon the above Question, such debate must be postponed; the Special Order of the day viz. "Committee of Supply" taking precedence of all other business.

On motion by Mr. Burnaby, seconded by Mr. Franklin, "That Mr. Speaker do now leave the Chair" upon the Order of the Day, viz.: "Committee of Supply."

Mr. De Cosmos, seconded by Dr. Dickson, moved an Amendmt. "That the Order of the Day be discharged."

The House then divided.

For Mr. De Cosmos's Amendment

Against the Amendment

Ayes: 8.

Noes: 4.

Messrs. De Cosmos

Messrs. Franklin

Dennes

Burnaby

Duncan

Young

Bayley

Southgate

Carswell

and Drs. Tolmie

Dickson

Powell

The Amendment was therefore carried and The Order of the day was discharged.

On motion by Mr. De Cosmos, seconded by Dr. Dickson That the House do now take under consideration certain Resolutions reported from Committee of the whole House on the 25th Inst. upon the "State of the Colony."

Dr. Tolmie, seconded by Mr. Burnaby, moved An Amendment "That the further consideration of the question be postponed for one week."

The House then divided.

For Dr. Tolmie's Amendment

Ayes: 5.

Messrs. Burnaby
 Young
 Southgate
 Franklin
 and Dr. Tolmie

Noes: 7.

Messrs. De Cosmos
 Dennes
 Duncan
 Carswell
 Bayley
 and Drs. Dickson
 Powell

The Amendment was therefore lost.

The House then took under consideration the Resolutions reported from Committee of the whole House on the 25th inst. on the "State of the Colony" as follows.
 Resolutions taken seriatim.

Res. 1. Resolved—That this House after having taken into consideration the present state of the Colony is firmly convinced that it is expedient at the present time to observe the strictest economy in the public expenditure compatible with the efficiency of the public service.

Carried *nem. con.*

Res. 2. And that the immediate Union of this Colony with British Columbia under such constitution as Her Majesty's Government may be pleased to grant is the means best adapted to prevent permanent causes of depression as well as to stimulate trade, foster industry, develop our resources, augment our population, and ensure our permanent prosperity.

Mr. Franklin, seconded by Mr. Burnaby, moved An Amendment "that after the word 'grant' the following words be inserted 'with the exception of the abandonment of the Free Trade Policy of this country'."

The House then divided.

For Mr. Franklin's Amendment

Ayes: 5.

Messrs. Franklin
 Burnaby
 Young
 Powell
 Southgate

Noes: 8.

Messrs. Duncan
 Bayley
 Carswell
 Dennes
 Cochrane
 Dickson
 Tolmie
 De Cosmos

Amendment lost.

The original Resolution (No. 2) was then put and carried.

Res. 3. And this House pledges itself, in case Her Majesty's Government shall grant such Union to ratify the same by Legislative Enactment if required.

Mr. Young moved An Amendment "That Resolution No. 3 be expunged."

The House then divided.

For Mr. Young's Amendment

Ayes: 4.

Messrs. Burnaby
Young
Franklin
Southgate

Noes: 7.

Messrs. De Cosmos
Dennes
Duncan
Bayley
Tolmie
Carswell
Dickson

Amendment lost.

The Original Resolution (No. 3) was then put and carried.

Res. 4. Resolved that the above Resolutions be transmitted to His Excellency the Governor with the respectful request that he may take the same into his earnest and immediate consideration.

Mr. Young moved An Amendment "That at end of Clause 4 the following words be inserted 'And transmit the same to His Excellency the Governor of British Columbia'."

The House then divided.

For Mr. Young's Amendment

Ayes: 3.

Messrs. Young
Franklin
Southgate

Noes: 7.

Messrs. De Cosmos
Duncan
Dennes
Bayley
Tolmie
Carswell
Dickson

Amendment lost.

The Original Resolution (No. 4) was then put and carried.

The Resolutions were then read as a whole—and on question "That they do pass."

The House divided.

Question.

Ayes: 8.

Messrs. De Cosmos
Carswell
Bayley
Dennes
Duncan
Tolmie
Powell
Dickson

Noes: 4.

Messrs. Burnaby
Franklin
Southgate
Young

The Resolutions were therefore confirmed.

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 30th day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, De Cosmos, Bayley, Young, Southgate, Franklin, and Drs. Tolmie, Dickson.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 42

Vancouver Island
Victoria, 30th Jany. 1865

To the Honble. the Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to submit for the consideration of the Legislative Assembly the propriety of making a grant of \$500.00 to the Agricultural Society.

This amount was inadvertently omitted from the Estimates for the current Year and if it meet the concurrence of the Assembly will be included in the Supplementary Estimates next year.

I have the honor to be, Sir,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Ordered "To be referred to Committee of Supply."

Mr. Bailey [Bayley] presented a Petition from certain Residents at Nanaimo.

Ordered "To be referred to Committee of Supply."

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, begged to report progress and ask leave to sit again.

Ordered That report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 31st day of January, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, Southgate, Dennes, Bayley, Cochrane, De Cosmos, and Drs. Powell, Tolmie, Dickson.

The last minutes having been read and confirmed.

Mr. Speaker read a Communication from His Excellency the Governor "No. 43 (dated) 31st January 1865" Acknowledging receipt of certain Resolutions passed by this House on the 27th Inst. relative to "The State of the Colony."

Order of the Day—Committee of Supply.

Mr. Speaker left the Chair.

The Chairman of Ways & Means [Franklin] in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report progress & asked leave to sit again.

Ordered that report be received & leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 1st day of February, 1865

Present: Mr. Speaker, Drs. Tolmie, Dickson, and Mr. De Cosmos.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker.

Thursday, the 2nd day of February, 1865

Present: Mr. Speaker, Messrs. Dennes, Bayley, and Dr. Dickson.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker.

Friday, the 3rd day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Burnaby, Franklin, Dennes, Cochran, Southgate, Dickson, Powell, Tolmie.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion (see M. B. f. 90).²¹

Mr. Speaker then informed the House that he had received the resignations of Amor De Cosmos Esqre. and Charles Bedford Young Esqre. as Members (respectively) for the City of Victoria.

On motion by Mr. De Cosmos²² Ordered that New Writs be issued for the election of Members to serve respectively in the place of the above Members resigned.

Order of the Day, Committee of Supply.

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report progress & ask leave to sit again.

Ordered that report be received & leave granted.

Mr. Speaker then read a Communication from the Honble. the Council enclosing "A Bill Entitled An Act to repeal a portion of the First Telegraph Act, 1864."

On motion by Mr. Franklin, seconded by Dr. Dickson Ordered That above Bill be read a first time.

Mr. Burnaby gave notice of motion (M. B. f. 91).²³

The House then adjourned till Monday.

Selim Franklin
Chairman Ways and Means
Deputy Speaker

Monday, the 6th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Messrs. Franklin, Cochrane, Duncan, Bayley, Dickson, Tolmie, Powell.

Mr. Clerk informed the House that he had received a Communication from the Honble. the Speaker stating that in consequence of a grievous domestic affliction he could not attend in his place in the House this day; that he (Mr. Speaker) was unwilling that the business of the country should be retarded; and requesting the Chairman of Ways and Means to take the Chair as Deputy Speaker.

²¹ Motion Book, p. 90: "On Monday I will ask the House to fix a day to take into consideration the urgent necessity of levying a tax of 3 per cent. on the assessed value of all unimproved lands in the Colony."

²² De Cosmos had resigned and was not present at this sitting. Both the *Colonist* and the *Chronicle*, 4 February 1865, named Dickson as the mover of this motion.

²³ Motion Book, p. 91: "That this House respectfully requests that Steps may be taken by the Executive for the immediate erection of a Powder Magazine so soon as the requisite amounts shall have been voted by the Legislature."

"The Chairman of Ways and Means" (Mr. Franklin) then took the Chair. The last minutes having been read and confirmed.

Dr. Dickson, seconded by Mr. Cochrane, moved the following Resolutions of sympathy and condolence with the Honble. the Speaker.

Resolved That the Members of this House do present to the Honble. the Speaker the assurance of their sincere and earnest condolence in the bereavement he has sustained in the loss of his most estimable wife, and of their trust that it may please Almighty God to vouchsafe to him strength and consolation under this great affliction.

That a Communication be forwarded to the Honble. the Speaker from this House requesting that this House be permitted to render the last tribute of their respect to the memory of his deceased wife by following her remains to the grave.

That in consideration of the above melancholy event this House stand adjourned till Monday next the 13th Inst.

Agreed to unanimously.

On motion by Dr. Powell, seconded by Mr. Cochrane, The Standing Orders of the House were suspended, And the foregoing Resolutions were Read a second time and confirmed.

On motion by Dr. Powell, seconded by Mr. Cochrane The House adjourned till Monday next the 13th Inst.²⁴

J. S. Helmcken
Speaker

Tuesday, the 14th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Tolmie, and Messrs. Carswell, Cochrane, Burnaby, Dennes.

Mr. Speaker begged to convey to the House his sense of gratitude for the sympathy the House had manifested towards him in his affliction.

The previous minutes having been confirmed.

Mr. Speaker read the following Communication from His Excy. the Governor.

No. 44

Vancouver Island
Victoria, 6th Feby. 1865.

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

Referring to my recent communication on the subject of the Estimates for the current year I beg to call your attention to a representation made to me by the Surveyor General, to the Effect that it is found to be impossible to obtain men for the tug and dredger, to be employed in the Improvement of Victoria Harbour for the sums proposed in the Estimates.

²⁴ Because the elections for Victoria City were held on 13 February, the House did not sit until the following day. *Colonist*, 14 February 1865.

I would therefore suggest for the consideration of the Assembly that the amounts inserted in the Estimates of \$720. for crew (2) of Tug, and \$1,440. for crew (4) of dredger should be augmented to \$1,080. and \$2,160., respectively, which will give these men Wages at the rate of \$45. per week each instead of \$30.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy,
Governor.

Ordered to be referred to Committee of Supply.

Amor De Cosmos Esqre. took the oaths and his seat upon re-election as Member for the City of Victoria.

Leonard McClure Esqre. took the oaths and his seat as Member elect for the City of Victoria, vice C. B. Young Esqre.

Order of the Day.

The House then went into "Committee of Supply."

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of Supply begged to report progress and ask leave to sit again.

Ordered that report be adopted and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 15th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Dennes, McClure, Cochran, Drs. Tolmie, Powell.

The last minutes having been read and confirmed.

Mr. McClure gave Notice of Motion for Tuesday next the 21st Inst. (see M. B. f. 91) for leave to introduce A Bill "To Amend the Franchise Act, 1859."

Mr. McClure gave Notice of Motion for Tuesday next the 21st Inst. (see M. B. f. 91) for leave to introduce A Bill "To amend the Annual Registration of Voters Act, 1860."

Order of the Day—In Committee of the whole House "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases."

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Mr. De Cosmos gave Notice of Motion for Monday next the 20th Inst. (see M. B. f. [blank]).²⁵

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 16th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Tolmie, Powell, Trimble, and Messrs. Carswell, Cochrane, De Cosmos, McClure, Franklin.

The last minutes having been read and confirmed.

Mr. Dennes gave Notice of Motion for Monday next (20th Inst.) for leave to introduce An Act to amend the manner of taking the verdict in Civil Cases (M. B. f. 92).

Order of the Day—"Committee of Supply."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 17th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, Tolmie, Powell, Burnaby, Dennes, De Cosmos, McClure, Franklin, Cochrane.

The last minutes having been read and confirmed.

²⁵ Motion Book, p. 91: "On Monday next I will ask leave to introduce A Bill entitled 'An Act to create a Lien on property for securing payment for labor and materials supplied therefor in certain cases.'"

Mr. Speaker read A Communication from the Honble. the Legislative Council enclosing certain Amendments to "A Bill Entitled An Act to amend the Land Registry Act, 1860."

Order of the Day, Committee of Supply.

Mr. Speaker left the Chair.

The Chairman of Ways & Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of Supply, begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Monday (20th Inst.).

J. S. Helmcken
Speaker.

Monday, the 20th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, De Cosmos, Franklin, McClure, and Drs. Tolmie, Dickson.

The last minutes having been read and confirmed.

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]).²⁶

On motion by Mr. De Cosmos, seconded by Dr. Dickson Ordered That leave be granted to bring in "A Bill Entitled An Act to create a Lien on property for securing payment for labor and Materials supplied therefor in certain cases."

On motion by Mr. Dennes, seconded by Mr. McClure Ordered That leave be granted to bring in "A Bill Entitled An Act to amend the manner of taking the verdict of a Jury in Civil cases."

Read a 2nd time & committed A Bill entitled An Act to repeal a portion of the 1st Telegraph Act, 1860.

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in civil cases."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete as amended.

Ordered that report be adopted.

²⁶ Motion Book, p. 92: "On Tuesday next I will move That returns be called for showing the respective sums of money making the total sum of \$34,066 set forth on the Estimates to be reimbursed to the Crown revenue."

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]).²⁷

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 21st day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Powell, Tolmie, Trimble, and Messrs. Dennes, Carswell, De Cosmos, Burnaby, Franklin, Southgate, Cochran, McClure.

The last minutes having been read and confirmed.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply, begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 22nd day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Burnaby, McClure, Franklin, Dennes, De Cosmos.

The last minutes having been read and confirmed.

Mr. McClure, seconded by Mr. Dennes, asked leave to introduce "A Bill Entitled An Act to amend the Registration of Voters Act, 1859."

Ordered that leave be granted.

On motion by Mr. McClure, seconded by Mr. Dennes, Ordered—That leave be granted to introduce "A Bill Entitled An Act to amend the Franchise Act, 1859."

²⁷ Motion Book, p. 92: "On Wednesday next I will ask the House to grant leave to introduce a Bill entitled 'An Act exempting Homesteads from Sale in certain cases'."

On motion by Mr. De Cosmos, seconded by Mr. McClure Ordered That leave be granted to introduce "A Bill Entitled An Act exempting homesteads from sale in certain cases."

On motion by Mr. Dennes, seconded by Mr. McClure "A Bill Entitled An Act to amend the manner of taking the verdict in Civil case" was Read a first time.

Read a 3rd time and passed "A Bill Entitled An Act to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases."

The House then took under consideration certain Amendments by the Honble. the Council to "A Bill Entitled An Act to amend the Land Registry Act, 1860."

Preamble Lines 2 & 3 Strike out the words "on Her Majesty's behalf," and in lieu thereof insert the words "of the Colony of Vancouver Island and its Dependencies."

Agreed to.

Preamble Line 4 Strike out the words "and House of Assembly of Vancouver Island and its Dependencies" and in lieu thereof insert the words "and Assembly thereof."

Agreed to.

Clause 1, Lines 2 & 3 Transpose the words as follows "shall require during the absence or other incapacity to act of the Registrar General."

Agreed to.

Clause IV Line 2 After the word "Proclamation" insert the words "or Act."

Agreed to.

Line 5 Strike out the words "said Act" and in lieu thereof insert the words "Land Registry Act, 1860."

Agreed to.

Clause V, Line 3 Before the word "Section" strike out the word "this" and after the word "Section" insert the words "four of this Act."

Agreed to.

Line 4 Insert the letter "U", in lieu of "W."

Agreed to.

Clause VI, Line 1 Strike out the words "said Act" and insert the words "The Land Registry Act, 1860."

Agreed to.

Clause VIII, Line 3 For the letter "T," insert "S."

Agreed to.

Line 9 For the letter "U" insert "T."

Agreed to.

Line 12 Add to the word "transfer" the letters "ee."

Agreed to.

Clause XI, Line 1 The word "issue"—Strike out the inverted commas; after the word "filed" insert the words "under the provisions of 'The Land Registry Act, 1860'."

Agreed to.

Clause XII, Line 2 After the word "issue" insert the words "under the provisions of 'The Land Registry Act, 1860'."

Agreed to.

Line 5 After the word "thereof" insert the words as provided in Section 41 of the last mentioned Act."

Agreed to.

Clause XIII, Line 2 Instead of the words "from the passage of the Act" insert the words "from the passing of this Act."

Agreed to.

Line 6 Before the word "such" insert "and."

Agreed to.

Clause XIV, Line 5 Strike out the words "Governor of Vancouver Island" and in lieu insert the words "Chief Justice of the Supreme Court of Civil Justice of Vancouver Island as hereinafter mentioned."

Agreed to.

Line 6 After the word "dominions" insert the words "having a Seal of Office."

Agreed to.

Line 14 Strike out the words "or to any Notary Public practising."

Not agreed to.

The House adheres to the original text of the Bill.

Line 14 And in lieu of the word "Colony" at the end of the line insert the word "Country." The House agrees to this amendment, but amends further the Amendment of the Honble. the Council by the insertion of the words "duly certified to be a Notary Public by some British Ambassador, Chargé d' Affaires, Minister, Consul or Consular Agent."

Line 14 Add the following—"And every such acknowledgment of instruments executed without this Colony shall be sufficient to entitle the same to be registered notwithstanding anything in this Act contained to the contrary and particularly to the provisoes in Section seventeen hereinafter following."

Agreed to.

Clause XV, Line 1 Before the words "the Governor" insert the words "The Chief Justice aforesaid with the approval of."

Agreed to.

Clause XVI, Line 6 Before the word "certificate" strike out the word "no" and insert "such."

Agreed to.

Line 7 Strike out the words "be valid unless it."

Agreed to.

For "recites" read "recite."

Agreed to.

Clause XVII, Line 7 of Proviso After the word "and" and before the word "certificate" insert the word "such" in lieu of the word "No." Strike out the words immediately following "be valid unless."

Agreed to.

Line 9 Strike out the word "it" and for "recites" read "recite."

Agreed to.

Line 18 After the word "and" and before the word "certificate" strike out the word "no" and insert the word "such".

Agreed to.

Line 19 Strike out the words "be valid unless."

Agreed to.

Line 21 Strike out the words "it shall be recited" and in lieu substitute the word "recite."

Agreed to.

Second Proviso Line 7 After the word "and" and before the word "certificate" insert "such" for "no."

Agreed to.

Before the word "acknowledgment" strike out the word "such."

Agreed to.

After the word "shall" strike out the words "be valid unless."

Agreed to.

Line 8 After the word "recited" strike out the word "it." Also strike out the "s" in "recites."

Agreed to.

Line 19 After the word "and" and before "certificate," strike out the word "no" and insert "every such."

Agreed to.

Line 20 Strike out the word "such" before the word "acknowledgment." Strike out the words "be valid unless."

Agreed to.

Line 21 Between the words "recited" and "recites" strike out the word "it," as also the "s" from "recites."

Agreed to.

Line 29 Strike out the words "be valid unless."

Agreed to.

Line 30 Strike out the word "it" between "recited" and "recites"; also the "s" in "recites."

Agreed to.

Add to the clause the following—"Provided also that the acknowledgment or proof of instruments required to be made or done as hereinbefore mentioned may be in the forms in the Third Schedule hereto."

Agreed to.

Clause XIX Line 6 For the words "in a scale" read "on a scale" all through the clause.

Agreed to.

Line 7 Strike out the words "chains to an inch" and in lieu insert the words "inches to a mile."

Agreed to.

Line 9 Strike out the words "four inches to a mile" and in lieu thereof insert the words "one chain to an inch on such scale respectively as the Registrar shall require in order that the law may be clearly and conveniently shown."

Agreed to.

Clause XXI, Line 2 After the words "this Act" and before the words "may be" insert the words "and the Land Registry Act, 1860."

Agreed to.

Clause XXV Line 3 Strike out the figures "19th" and insert "24th."

Agreed to.

Clause XXVII Line 3 Insert the following at the end of the clause "And in case of doubt the market value shall be held to be the value as stated in the last completed Government Assessment Roll."

Agreed to.

Clause XXVIII Line 2 Between the word "be" and discontinued" insert the word "be."

Agreed to.

Clause XXIX Line 2 Strike out "1864" and insert "1865."

Agreed to.

Schedule, Form "A" Last line Strike out the words "my said interest" and in lieu insert the words "the said real estate."

Agreed to.

Form "G" In lieu of the abbreviations "Regs't Genl" insert the words "Registrar General."

Agreed to.

Form "L" Line 1 After the word "issue" and before the word "filed" insert the words "or charge registered or."

Agreed to.

Form "T" Insert "S" in lieu of "T."

Agreed to.

Form "U" Insert "T" in lieu of "U."

Agreed to.

Between Form "L" and Form "T" insert Form "M" as follows:

I, A. B. having filed a notice of contest on the day of 18
against an issue (or charge registered or) filed by C. D. in respect of that piece of
land registered in the Book, vol. fol. crave that the charge
(or issue) may be cancelled (or taken off the file).

(A. B.)

Agreed to.

Form "W" Insert "V" instead of "W."

Agreed to.

Second Schedule Line 3 After the word "Registration" strike out the word "if" and in lieu insert "of."

Agreed to.

Line 4 After the words "and one" and before "of one per cent" strike out the word "tenth" and insert the word "fifth." And after the words "real estate" insert the words "where such value amounts to or is under Five thousand dollars and one tenth of one per cent on the additional value where such value exceeds Five thousand Dollars."

Agreed to.

Line 12 Instead of the word "issue" &c. insert the word "charge."

Agreed to.

Line 17 After the word "section" insert the words "thirty one."

Agreed to.

Line 18 Between lines 18 and 19 insert "For taking the acknowledgment or proof of execution of any instrument including the certificate thereof."

For every acknowledgment or proof \$1.00.

Agreed to.

For administering An Oath \$.50.

Add the following Schedule 3rd Schedule.

For maker of Deed

I hereby certify that personally known to me appeared before me and acknowledged to me that the person mentioned in the annexed instrument as the maker thereof and whose name subscribed thereto as part that know the contents thereof and that executed the same voluntarily.

In testimony whereof I have hereto set my hand and seal of office at this day of in the year of our Lord one thousand eight hundred and sixty

Agreed to.

Married woman.

I hereby certify that A. B. personally known to me to be the wife of C. D. appeared before me and being first made acquainted with the contents of the annexed instruments and the nature and effect thereof acknowledged on examination and apart from and out of hearing of her said husband that she is the person mentioned in such instrument as the maker thereof and whose name is subscribed thereto as party, that she knows the contents and understands the nature and effect thereof, that she executed the same voluntarily and without fear or compulsion or undue influence of her said husband, that she is of full age and complete understanding, and does not wish to retract the execution of the said Instrument.

In testimony whereof I have hereto set my hand and seal (of office) at this day of in the year of our Lord one thousand eight hundred and

(E. F.)

Agreed to.

Schedule For Attorney

I hereby certify that personally known to me appeared before me and acknowledged to me that he is the person who subscribed the name of to the annexed Instrument as the maker thereof is the same person mentioned in the said Instrument as the maker thereof; that he knows the contents of the said Instruments, and that he subscribed the name of thereto voluntarily as the free Act and deed of the said

In testimony whereof I have hereto set my hand and seal of office at this day of in the year of our Lord one thousand eight hundred and sixty

Agreed to.

Schedule for Witness

I hereby certify that . . . personally known to me . . . appeared before me and acknowledged to me that . . . the person whose name subscribed to the annexed Instruments as Witness and having been duly sworn by me did prove to me that . . . did execute the same in . . . presence voluntarily.

In testimony whereof I have hereto set my hand and seal of office at . . . this . . . day of . . . in the year of our Lord one thousand eight hundred and sixty . . .

Agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 23rd day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, McClure, Dickson, Dennes, De Cosmos, Cochrane.

The last minutes having been read and confirmed.

Mr. De Cosmos gave Notice of Motion (see M. B. f. [blank]) for Monday next 27th Inst.²⁸

Mr. Speaker then read a Communication from His Excellency the Governor (No. 45)²⁹ in reply to a Resolution passed by the House on the 20th Inst., requesting information in detail of the sums which made up the amount of Thirty four thousand and Sixty six dollars (\$34,066.00) proposed in the Estimates of 1865 to be re-imbursed to the Crown Revenue.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report that the Committee had voted a sum of Two hundred and ninety eight thousand, six hundred and eighteen dollars

²⁸ Motion Book, p. 92: "On Monday next I will move That this House be supplied with printed Copies of all the Statutes passed during the Session of 1863 & 64." According to the Motion Book and the newspapers, De Cosmos also gave notice this day that "On Monday next I will move That statistical returns be laid before the House in accordance with a provision of the Pilot Act 1864." In addition, Dr. Dickson gave notice that "On Monday I will ask the House to fix a day to consider the expediency of extending the provisions of Clause III of 'An Act to provide for and regulate the Sale of wines spirits, Malt and other Liquors,' so as to permit persons, without the limits of the City of Victoria and Esquimalt, and within three miles thereof to sell Wines, spirits, Beer Ale, Cider by retail on the payment of Twenty pounds per annum in four quarterly instalments of twenty five dollars each."

²⁹ Messages to House, 23 February 1865.

& 25 cents (\$298,618.25) out of the General Revenue for the Service of Her Majesty.

Ordered that report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 24th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Tolmie, Powell, and Messrs. Southgate, Dennes, Franklin, [De Cosmos], Carswell, McClure.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion (M. B. fol. [blank]) for Monday next.³⁰

The House then took under consideration the report of the Committee of Supply—reported yesterday.

On question “that the report do pass” Dr. Dickson, seconded by Mr. McClure moved that the Estimates be recommitted for the purpose of reconsidering the following items.

Superintendent of Police	2000.00
Inspector of Police	1200.00
Chief Justice of Supreme Court	5820.00

Agreed to.

A motion by Dr. Dickson to recommit further the following Estimates was lost.

Post Office Nanaimo

For Dr. Dickson's Resolutions.

Ayes: 3.

Noes: 6.

Messrs. Dickson
McClure
De Cosmos

Messrs. Dennes
Powell
Franklin
Southgate
Carswell
Tolmie

The Resolution was therefore lost.

Clerk to Stipendiary Magistrate Nanaimo lost.

³⁰ Motion Book, p. 94: “On Monday I will ask the House for leave to introduce a Bill to provide for the appointment by the Chief Justice of a Public Administrator, who shall take charge of the effects of all deceased persons who have no legally authorized party or parties to administer to their estate after death. And such administrator shall annually return a true authenticated account of the disposition made of such effects to the Governor of the Colony for the time being.”

On motion by Mr. McClure, seconded by Dr. Dickson the Attorney Generals Salary was recommitted.

Order of the Day.

The House then went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Franklin in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of Supply begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Dr. Powell pursuant to notice moved for leave to introduce "A Bill For the registration of births, deaths and marriages."

Ordered to be taken into consideration in Committee of the whole House on Monday next.

Mr. McClure moved an address to H. Excy. the Govr. for returns of all fees taken in connection with the Attorney General's office during the year 1864, also for returns of all fees paid to any Solicitor within that period.

Ordered to be transmitted at once to the Executive.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 27th day of February, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Tolmie, Dickson, and Messrs. De Cosmos, Dennes, McClure.

The last minutes having been read and confirmed.

Mr. Speaker informed the House that he had received a Petition by Charles Bedford Young Esqre. against the return of Leonard McClure Esqre. as Member elect for the City of Victoria; with a certificate from the Examiner of Recognisances to the effect that the Recognisances required by the Act had been duly entered into.

Dr. Dickson, pursuant to notice, asked the House to fix a day to consider the expediency of extending the provisions of Clause III of An Act to provide for and regulate the Sale of Wines Spirits, Malt and other liquors so as to permit persons without the limits of the City of Victoria and Esquimalt and within three miles thereof to sell Wines, Spirits, Beer, Ale, Porter, Cider, by retail on the payment of Twenty Pounds per annum, in four quarterly instalments of Five Pounds each.

Ordered to be referred to Committee of Ways and Means.

On motion by Dr. Dickson, seconded by Mr. Dennes, Ordered that leave be granted to bring in "A Bill To provide for the appointment by the Chief Justice of a Public Administrator who shall take charge of the effects of all deceased persons who have no legally authorised party or parties to administer their estate after death, and such Administrator shall annually return a true and authenticated Account of the disposition made of such effects to the Governor of this Colony for the time being."

Mr. De Cosmos pursuant to notice moved A Resolution "That this House be supplied with printed Copies of all the Statutes passed during the session of 1863-4."
Seconded by Mr. Dennes and agreed to.

Mr. De Cosmos, pursuant to notice, moved A Resolution "That a statistical return be laid before this House in accordance with a provision of the Pilot Act, 1864."
Seconded by Mr. Dennes and agreed to.

Order of the Day.

The House then went into Committee of the whole to report upon "A Bill Entitled An Act respecting Births, Deaths and Marriages in Vancouver Island."

Mr. Speaker left the Chair.

Dr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the above mentioned Bill under consideration begged to report the same favorably to the House.

Ordered that report be adopted.

The above Bill was then read a first time and Ordered to be printed.

On motion by Mr. De Cosmos, seconded by Mr. Dennes "A Bill Entitled An Act respecting Weights and Measures" was Read a 2nd time and committed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 28th day of February, 1865

Present: Mr. Speaker, Messrs. De Cosmos, Dennes, and Dr. Tolmie.

A Quorum not being present the House did not sit.

J. S. Helmcken
Speaker.

Wednesday, the 1st day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Franklin, McClure, Dennes, De Cosmos, and Drs. Dickson, Powell.

The last minutes having been read and confirmed.

Ordered That Petition by C. B. Young Esqre. against the return of L. McClure Esqre. as Member elect (13th Feby. 1865) for the City of Victoria be referred to the "General Committee on Elections."

The House then took under consideration and agreed to certain Amendments by the Honble. The Legislative Council to "A Bill Entitled An Act to amend the Land Registry Act, 1860" with the exception of the [following] Amendment.

Strike out the words "or to any Notary Public practising" which was not agreed to—the House adhering to the original text of the Bill.

And in lieu of the word "Colony" at the end of the line insert the word "Country." The House agreed to this Amendment, but further amended the Amendment by the Honble. the Council by the insertion thereafter of the words "duly certified to be a Notary Public by some British Ambassador Chargé d' Affaires, Minister, Consul or Consular Agent."

Ordered that "A Bill Entitled An Act to amend the manner of taking the verdict of a Jury in civil cases" be printed.

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to repeal the 'Victoria Incorporation Act, 1862' and to make certain provisions in lieu thereof."

Mr. Speaker left the Chair.

Mr. Dennes in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above-mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 2nd day of March, 1865

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Dennes, De Cosmos, Burnaby, McClure, Duncan, and Drs. Dickson, Powell, Tolmie.

The last Minutes having been read and confirmed.

On motion by Mr. De Cosmos, 2nded by Mr. Dennes, "A Bill Entitled An Act for securing a lien to mechanics and others" was read a first time, and Ordered to be printed.

Order of the Day.

The House then went into "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Franklin in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the questions of Supply had therein voted a Sum of Two Hundred and Ninety Eight Thousand, Six Hundred and Eighteen dollars & 25 cents (\$298,618.25) for the service of Her Majesty.

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 3rd day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, Trimble, and Messrs. Dennes, Burnaby, Southgate, McClure.

The last minutes having been read and confirmed.

A Communication was read from the Honble. the Council transmitting "A Bill Entitled An Act to explain and amend the Victoria Incorporation Act, 1862."

Ordered for Monday next.

Mr. De Cosmos, from the General Committee on Elections, reported that The Petition of Charles Bedford Young Esqre. against the return of Leonard McClure Esqre. was in compliance with the formalities required by this House, and ought, *primâ facie*, to be entertained.

Mr. Dennes gave Notice that on Monday next he would introduce "A Bill Entitled An Act to amend the law as to Imprisonment for debt."

The House then took under consideration and agreed to the report of the Committee of Supply made yesterday, viz.: "That the Committee having had under consideration the question of Supply had therein voted a Sum of Two Hundred and Ninety Eight Thousand, Six Hundred and Eighteen Dollars and Twenty five Cents (\$298,618.25) for the Service of Her Majesty" as follows.

SCHEDULE

Establishments Detailed

Civil	Fixed Establish- ments	Provisional and Temporary	Allowances and Contingencies	Total
HIS EXCELLENCY THE GOVERNOR				
Salaries				
Private Secretary		1,700 00		1,700 00
<i>Resolution. "That this Ap- pointment be made of a temporary character."</i>				
Messenger	480 00			480 00
Total His Excellency the Governor				2180 00
LEGISLATIVE COUNCIL				
Salaries				
Clerk	500 00			500 00
Contingencies				
Fuel, light, and petty expenses			150 00	150 00
Total Legislative Council				650 00
LEGISLATIVE ASSEMBLY				
Salaries				
Clerk	1,700 00			
Messenger	600 00			2300 00
Contingencies				
Extra Clerical Assistance			500 00	
Drafting of Bills			1000 00	
Expenses of Witnesses			100 00	
Fuel, light and petty expenses			250 00	1850 00
Total Legislative Assembly				4150 00
COLONIAL SECRETARY				
Salaries				
Chief Clerk.	1500 00			
Second Clerk.	1000 00			
Messenger.	480 00			2980 00
Contingencies				
Stationery for public offices			2000 00	
Furniture for " "			200 00	
Fuel & light for " "			1000 00	
Printing for " "			4000 00	
including Acts of Legislature			250 00	7450 00
Petty expenses				
Total Colonial Secretary				10430 00

SCHEDULE—Continued

Establishments Detailed

Civil	Fixed Establishments		Provisional and Temporary		Allowances and Contingencies		Total
TREASURER.							
Salaries							
Treasurer							
Restn. "That this House recommends that the Salary of the Treasurer be subject to the Resolutions of July the 2nd 1864 respecting the Civil list."							
Clerk	1200	00					
Assessor	2425	00					3625 00
Contingencies							
Extra Clerical Assistance					250	00	
Advertising and Petty Expenses					400	00	650 00
Total Treasurer							4275 00
AUDITOR							
For Auditing Accounts							
Restn. "That a sum of \$1200.00 be voted for Auditing Accounts."	1200	00					1200 00
SURVEYOR GENERAL							
Salaries							
Surveyor General (2425.00 stricken out)							
Restn. "That the Committee is of opinion that it is inexpedient to fill up the vacancy at present."							
Assistant Surveyor	1700	00					
Superintendent of Roads			1500	00			
Restn. "That the Superintendent of Roads be classed among provisional and temporary offices."							
Clerk	1200	00					2900 00
Superintending Engineer, Victoria Harbour			2425	00			
Master of Tug			1200	00			
Engineer			1067	00			
Blacksmith			700	00			
2 Stokers at \$700. each			1400	00			
2 Crew.			1080	00			
Restn. "That \$720. be augmented by \$360.=1,080." See H. Excy.'s Communication. No. 44.							

SCHEDULE—Continued

Establishments Detailed

Civil	Fixed Establish- ments	Provisional and Temporary	Allowances and Contingencies	Total
SURVEYOR GENERAL—Continued				
Engineer of Dredger		1067 00		
Blacksmith		700 00		
2 Firemen at \$700. each		1400 00		
4 Crew at \$540 "		2160 00		14699 00
Restn. "That 1440 be aug- mented by \$720.=2,160." See H. Excy's Comtn. No. 44.				
Contingencies				
Miscellaneous Explorations & Surveys			5000 00	
Fuel for Tug and Dredges			7200 00	
Petty expenses			240 00	12440 00
Total Surveyor General				30039 00
HARBOUR MASTER				
Salaries				
Harbour Master, Shipping Mas- ter and officer to carry out Passengers and Merchant Shipping Acts, without fees.	1400 00			
Restn. "That the Committee deems it inexpedient to separate the offices of Har- bour Master & Post Master. That above offices be amal- gamated & a sum of \$1,400. without fees be voted therefor."				
Boatman	500 00			1900 00
Contingencies				
Painting and repairing buoys.			400 00	400 00
Total Harbour Master				2300 00
LIGHT HOUSES				
Salaries				
Commissioner 1	500 00			
" 2	500 00			
Medical Officer	60 00			
Lightkeeper Race Rocks	763 08			
1. Asst. do. do.	510 88			
2. " " "	410 00			
3. " " "	208 04			
Lightkeeper Fisgard	750 00			
Assistant do. do.	100 00			3802 00

SCHEDULE—Continued

Establishments Detailed

Civil	Fixed Establish- ments	Provisional and Temporary	Allowances and Contingencies	Total
LIGHT HOUSES—Continued				
Allowances				
Provisions and fuel for light- keeper.			1300 00	1300 00
Contingencies				
Books for Library.			150 00	
Stores			500 00	
Petty Expenses			100 00	750 00
Total Light Houses				5852 00
POST OFFICE				
Salaries				
Victoria Postmaster	500 00			
Restn. "That the Committee deems it inexpedient to separate the offices of Har- bour Master & Postmaster Clerk."	1455 00			
Restn. "That if the Salary of the Clerk was \$1500. last year, it be the same during the present year."	485 00			2440 00
Nanaimo Postmaster				
Contingencies				
Extra Clerical Assistance			750 00	
Postage Stamps			500 00	
Mail Bags & petty expenses			100 00	1350 00
Total Post Office				3790 00
REGISTRAR GENERAL				
Salaries				
Registrar General	2425 00			
Total Registrar General				2425 00
Judicial				
JUDICIAL				
Salaries				
Chief Justice of Supreme Court	5820 00			
Restn. "Provided such Chief is appointed in pursuance of An Act to appropriate the sum of Twelve Hundred Pounds per annum from the General Revenue of the Colony for the Salary of a Chief Justice. Until such Chief Justice shall have arrived in conformity with				

SCHEDULE—Continued

Establishments Detailed

Judicial	Fixed Establish- ments	Provisional and Temporary	Allowances and Contingencies	Total
JUDICIAL—Continued				
the said Act the Salary of the present Chief Justice shall be subject to the Restns. of July 2nd 1864 respecting the Civil List."				
Registrar	1500 00			
Clerk of Writs	1000 00			
Attorney General		1455 00		1455 00
Restn. "That the Appointment of Attorney General be pro- visional and temporary and the Salary \$1455. the same as last year with fees as usual and power to practise."				
Clerk	1000 00			
Sheriff	1000 00			
Stipendiary Magistrate and visit- ing Magistrate of Gaol, Vic- toria	2250 00			
Clerk to do. do.	1000 00			
Stipendiary Magistrate, Nanaimo	1700 00			
Clerk to do. do.	485 00			15755 00
Stipendiary Magistrate, Sooke				
Restn. "That in lieu of a Sti- pendiary Magistrate for Sooke there should be a Gold Commissioner who should be a Justice of the Peace."				
Contingencies				
Occasional Assistance to Sheriff			250 00	250 00
Total Judicial				17460 00
POLICE				
Salaries				
Superintendent and Inspector	2000 00			
Restn. "That the offices of Superintendent and Inspec- tor be amalgamated & the Salary be \$2000.00				
4 Sergts. at \$2 per diem each	2920 00			
6 Constables @ 1.75 per diem each	3832 50			
6 " " " 1.50 " "	3285 00			
Medical Officer	250 00			
Armourer at \$1.50 per diem	547 50			12835 00

SCHEDULE—Continued

Establishments Detailed

Judicial	Fixed Establish- ments	Provisional and Temporary	Allowances and Contingencies	Total
POLICE—Continued				
Contingencies				
Expenses of cleaning & repair- ing Small Arms			50 00	
Petty expenses			100 00	150 00
Total Police.				12985 00
GAOLS				
Salaries				
Gaoler	1000 00			
Superintendent of Convicts	800 00			
Medical Officer	500 00			
3 Wardens @ \$1.75 per diem	1916 25			
3 " " \$1.50 " "	1642 50			
Cook " \$1.50 " "	547 50			6406 25
Contingencies				
Petty expenses.			100 00	100 00
Total Gaols				6506 25
VOLUNTEERS				
Salaries				
Restn. "That the Sum of \$1000. be given to the Vol- unteer Corps for general purposes connected with the Company."	1000 00			
Total Volunteers.				1000 00

No. 2. Pensions retired allowances and gratuities

Pension provided for under 27 and 28 Vict. No. 3 to David Cameron, Chief Justice.	2425.00
Total Pensions retired allowances and gratuities	2425.00

No. 3. Revenue Services exclusive of Establishments. Nil.

No. 4. Administration of Justice (exclusive of Establishments)

Expenses of Witnesses	500.00
Criminal punishments	500.00
Interpreters and other expenses	100.00
Expenses of Inquests (including Fees to Coroner)	1000.00
Total Administration of Justice exclusive of Establishments	2100.00

[No. 5. Ecclesiastical (exclusive of Establishments). Nil.]

No. 6. Charitable Allowances

Miscellaneous Charitable purposes	500.00
Total Charitable Allowances	500.00

No. 7. Education Exclusive of Establishments

District Schools	10,000.00
Total Education (exclusive of Establishments)	10,000.00

No. 8. Hospitals exclusive of Establishments

Contribution to Victoria Hospital	5,000.00
„ to meet excess of expenditure 1864	1,000.00
„ to Female Hospital, Victoria	500.00
Total Hospitals exclusive of Establishments	6,500.00

No. 9. Police (exclusive of Establishments)

Clothing for Constables	1,100.00
Fuel Water and Light	400.00
Bedding	125.00
Arms and Ammunition	100.00
Total Police (exclusive of Establishments)	1725.00

No. 10 Gaols (exclusive of Establishments)

Provisions for 60 Prisoners	4818.00
Clothing for „ „	300.00
Fuel, Water, and Light	450.00
Bedding and Utensils	350.00
Tools and implements	600.00
Arms and Ammunition	50.00
Clothing for Warders	455.00
Total Gaols exclusive of Establishments	7023.00

No. 11. Rent

Rent of Residence for His Excy. the Governor	1920.00
„ „ Harbour Masters Office Victoria	330.00
„ „ Post Office Victoria	330.00
Restn. "That this Committee recommends the removal of the Post Office and Harbour Masters Office to the old Post Office lot on Government Street as soon as practicable."	
Total Rent.	2580.00

No. 12. Transport

Colonial Secretary	
Travelling expenses of Officers and others	500.00
Surveyor General.	
Travelling expenses of Officers and others	250.00
Superintendent of Police	
Travelling expenses of Police on public duty	500.00
Total transport	1250.00

No. 13. Conveyance of Mails

Between Vancouver Island and (England)	9000.00
Restn. "That 'England' be altered to 'San Francisco'."	
Between Victoria and Esquimalt	350.00
„ „ „ Nanaimo, Comox & intermediate places	4080.00
„ „ „ Saanich	300.00
„ „ „ Sooke Mines	300.00
„ „ „ New Westminster, British Columbia	1000.00
„ „ „ Washington Territory, U.S.	500.00
Total Conveyance of Mails	15,530.00

No. 14. Works and Buildings

Residence for His Excellency the Governor	50,000.00
Restn. "That the sum of \$50,000. be voted for the Governors residence including the construction of residence, outbuildings, purchase of grounds and furniture."	
Lock up, Saanich	100.00
Painting of Government Buildings Victoria	
(Balance of contract under vote 1864)	205.00
Painting, General Repairs and fencing of Government Buildings Victoria	1500.00
Powder Magazine (renewal of vote for 1864 under Powder Magazine Act, 1864)	3638.00
Total Works and Buildings	55,443.00

No. 15. Roads Streets and Bridges

West Saanich Road, Thompson's to Harris's (balance due under contract undertaken under partially unexpended vote for 1864)	2,800.00
Road from Goldstream to Forks of Sooke and Leech Rivers (contract completed in 1864 without vote)	2,000.00
Cedar Hill Road (balance of contract under partially unexpended vote for 1864)	1,750.00
Burnside Road (to cover contract undertaken under unexpended vote for 1864.)	4,000.00
East Saanich Road (\$2000. to cover contract undertaken under unexpended vote for /64. \$2,000 for new Works.)	4,000.00
Metchosin Road, (branch to Goldstream) to cover contract undertaken under unexpended vote for 1864	3,000.00
Victoria, Ogden Point, and Beacon Hill Road do. do.	1,500.00
Road from Craigflower to Naval Hospital, Esquimalt do. do.	1000.00
" " " " Burnside Road do. do.	500.00
" " Maple Bay to Somenos (contract entered into to cover contract undertaken under unexpended vote for 1864)	1300.00
Albert Head Road, to cover contract undertaken under unexpended vote for 1864.	500.00
Sooke Road Pedder Inlet to Sooke (for road under completed contract and for bridges under partially expended vote for 1864)	1000.00
Restn. "That any money remaining unexpended on this vote be applied to the main Metchosin Road from Weirs to Vines."	
Extension of Government Street, Victoria	2,000.00
Metchosin Road	500.00
Road fm. Goldstream to Forks of Leech and Sooke Rivers	5,000.00
Restn. "To be expended only in case the Gold discoveries should warrant the expenditure."	
Bridge over Leech River at Lower Forks	450.00
" " Millstone River, Newcastle.	1000.00
Repairs to Victoria and Esquimalt Road	500.00
Comox (local) road through Settlement	1000.00
West Saanich Road, Lake Hill to Stephens'	10000.00
Road from Goldstream to (Nanaimo)	2,500.00
Restn. "That the word 'Nanaimo' be altered to the word 'Cowichan'."	
General repairs to macadamised Roads	700.00
James Bay Bridge, Victoria (repairs)	850.00
Total Roads, Streets and Bridges	47,850.00

No. 16. Miscellaneous Services.

Expenses of revising List of Voters.	400.00
Sheriff for expense of making copies of lists of Voters	150.00
Colonial pay for Marines at San Juan	6500.00
Contribution to Victoria Fire Department	3000.00
Insurance of Government Buildings	1000.00
Premium for discovery of Fisheries	4000.00
Reward for discovery of Gold Fields	1500.00
Repayment of deposits	500.00
Agricultural Society	500.00
Restn. "That the Agricultural Society receive \$500.00"	
Total miscellaneous Services	17,550.00

No. 17. Interest

Interest on road and Harbour Loan 1862	11640.00
£40,000 @ 6 per cent.	7760.00
Sinking fund on do. do.	19,400.00

No. 18. Reimbursements (\$34066) Nil.

Restn. "That this Committee do not consider the General Revenue liable for the payment of the \$34,066; that this view of the question is supported in Despatch No. 27 of Aug. 1, 1864 where it speaks of placing the Crown Revenue on a proper footing prospectively and not retrospectively and that any moneys that have been voted heretofore out of the Crown Revenues have been assented to by the Governor for the time being & finally by Her Majesty."	
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No. 19. Immigration

Expenses of introducing Immigrants	2500.00
Total Immigration	2500.00

No. 20. Indians

Expenses connected with Indians	1000.00
Total Indians	1000.00

[Total Estimates	\$298,618.25]
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Order of the Day in Committee of the Whole House. "A Bill Entitled An Act to repeal the Victoria Incorporation Act 1862 and to make certain provisions in lieu thereof."

Mr. Dennes in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported progress & asked leave to sit again.

Ordered that report be received and leave granted.

J. S. Helmcken
Speaker

Monday, the 6th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. McClure, Cochrane, Duncan, Burnaby, Dennes, Carswell, De Cosmos.

The last minutes having been read and confirmed.

Mr. Speaker read the following communication from His Excy. the Governor.

[No. 46]

Vancouver Island
Victoria, 6th March, 1865

To the Honble. the Speaker and Members of the Legislative Assembly
Gentlemen,

In reply to your Communication of the 24th Ultio. requesting "Returns of all fees connected with the office of Attorney General during the Year 1864, and also any fees that may have been paid to any Solicitor during the same period" I have the honor to inform you that during that Year, the Government became chargeable with the sum of \$2691. on those accounts. I regret that the accounts being in the possession of the Acting Auditor precludes the possibility of this Sum being appor-
tioned to the Attorney General and to the Solicitor.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(sd.) A. E. Kennedy,
Governor.

On motion by Mr. McClure, seconded by Mr. Dennes "A Bill Entitled An Act to amend the law relating to the Representation of Vancouver Island and its Dependencies" was Read a 1st time and ordered to be printed.

On motion by Mr. Dennes, seconded by Mr. Duncan, "A Bill Entitled An Act to amend the manner of taking the verdict of a Jury in civil cases" was Read a 2nd time and committed.

On question that "A Bill Entitled An Act to explain and amend the Victoria Incorporation Act, 1862 (bill received from Legtve. Council) be now Read a first time Mr. Duncan moved An Amendment "That above Bill be read a 1st time this day 6 months" (Not seconded. J. S. H.).

The House then divided.

Question.

Ayes: 5.

Messrs. Duncan
McClure
Dennes
De Cosmos
Carswell

Noes: 3.

Messrs. Franklin
Southgate
Burnaby

The Amendment was therefore carried.

Ordered that "A Bill Entitled An Act to amend the law as to Imprisonment for debt" be printed.

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

J. S. Helmcken
Speaker

Tuesday, the 7th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, Dickson, and Messrs. Franklin, McClure, De Cosmos, Dennes, Duncan, Cochrane.

The last Minutes having been read and confirmed.

Mr. Cochrane presented A Petition from certain licensed "Retail Dealers in liquors in Victoria and Esquimalt."

Ordered to lie on the table.

The House then went into Committee of Ways and Means.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 8th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, Duncan, De Cosmos, Powell, McClure, Dickson.

The last minutes having been read and confirmed.

The following Communication was read from His Excellency the Governor.

[No. 47]

Vancouver Island
Victoria, 8th March 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to enclose for your information returns relative to convictions for the sale of liquor to Indians and for other offences at the Police Court Victoria, pursuant to your Resolution of 28th September, 1864.

I have the honor to be,
Gentlemen,
Your obedient Servant,
(Sd.) A. E. Kennedy,
Governor.

Ordered to be printed (Dissentiente Dr. Powell).

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

Mr. McClure gave notice of motion.³¹

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 9th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. De Cosmos, Duncan, Dennes, McClure, Franklin, Burnaby, Carswell, and Drs. Tolmie, Trimble, Powell, Dickson.

The last minutes having been read and confirmed.

Dr. Powell presented "A Petition from certain Residents of the City of Victoria praying that the jurisdiction over the Police be transferred to the Mayor and Corporation of the City of Victoria, &c."

Ordered to lie on the table.

³¹ Motion Book, p. 94: "I give notice that I will on Monday next ask leave to introduce a bill to amend the Road Act 1860."

Mr. Duncan gave Notice of Motion (M. B. f. [blank]).³²

Order of the Day.

The House then went into Committee of "Ways and Means."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of Ways and Means had therein adopted the following Resolution.

That a tax be levied on all cattle, horses, sheep and pigs imported into the Colony as follows, viz.:

On Cattle	\$4.00
„ Yearlings	.50
On Horses	5.00
„ Yearlings & foals	1.00
On Sheep	1.00
On Pigs	.50
On Beef	5.00 per carcase
„ Mutton	2.00 „ „
„ Pork	2.00 „ „

Ordered that report be adopted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Monday, the 13th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, Tolmie, Burnaby, Franklin, McClure, Carswell, De Cosmos.

The last minutes having been read and confirmed.

Mr. Dennes gave Notice of Motion (M. B. f. 95)³³

Order of the Day.

The House then took under consideration certain Resolutions reported from Committee of Ways and Means on Thursday as follows.

³² Motion Book, p. 95: "Tomorrow the 10th March 1865 I beg leave to give [notice] that I shall move that an address be presented to His Excellency the Governor 1st Asking whether the Harbour Master has granted any licences to Foreign Vessels to carry goods or passengers between any two or more places in this Colony and if so what Vessels 2nd If so whether any opinion has been given by the Hon. Attorney General that such licences are legal and if so that a copy of such opinion and the law on which it is founded be sent to this House."

³³ Motion Book, p. 95: "On Wednesday next I shall move an Address to His Excellency the Governor for returns of the number of Writs of *Capias ad respondendum* and *ne exeat regno* issued from 1st January 1861 to 1st March 1865 and also the number of such Writs respectively set aside or discharged."

Resolved That the permit for landing animals shall in future be,

For Cattle	\$4.00
„ Yearlings	.50
For Horses	5.00
„ Yearlings and foals	1.00
For Sheep	1.00
„ Pigs	1.50
On Beef	5.00 per carcase
„ Mutton	2.00 „ „
„ Pork	2.00 „ „

That upon the exportation of any Cattle, Horses, Sheep and Pigs a sum equal to the amount charged for an import permit shall be given to the owner.

On question “that above Resolutions do pass” Mr. Burnaby moved An Amendment, seconded by Dr. Tolmie, “That the above Resolutions be recommit-
mitted.”

The House then divided.

Question.

For Mr. Burnaby's Amendment

Ayes: 3.

Messrs. Burnaby
Tolmie
Franklin

Noes: 5.

Messrs. McClure
Carswell
Dennes
Dickson
De Cosmos

The Amendment was therefore lost.

The original motion was then put and carried.

The House then went into Committee of the whole upon “A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof.”

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 14th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, Dennes, De Cosmos, Franklin, Burnaby, Cochrane, Southgate, McClure, Tolmie, Carswell.

The last minutes having been read and confirmed.

Mr. De Cosmos presented a Petition from certain Residents of the City of Victoria. Ordered to lie on the table.

The following Communication was then read from the Honble. the L. Council.

Vancouver Island
Council Chamber,
Victoria 13th March 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to inform you that the counter Amendments made by your Honble. House to the Amendments of the Legislative Council to "A Bill Entitled An Act to amend the Land Registry Act, 1860" have been agreed to by the Legislative Council.

I have the honor to be,
Gentlemen,
Your obedient Servant
E. J. Nesbitt
Clerk of the Council

Order of the Day, In Committee "Ways and Means."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Ways and Means" begged to report progress and ask leave to sit again. Ordered that report be received and leave granted.

The following Communication was then read from the Honble. the L. Council.

Vancouver Island
Council Chamber,
14th March 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to enclose herewith "A Bill Entitled 'An Act to establish the Postal Service'" which has passed the Legislative Council.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) E. J. Nesbitt
Clerk of the Council

The House then adjourned till tomorrow.³⁴

J. S. Helmcken
Speaker.

³⁴ According to the *Colonist*, 16 March 1865, "The House of Assembly did not meet yesterday [Wednesday] owing to the unavoidable absence of the hon. Speaker."

Thursday, the 16th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Dickson, Tolmie, Trimble, Powell, and Messrs. Carswell, De Cosmos, Burnaby, Franklin, McClure, Dennes, Southgate.

The last minutes having been read and confirmed.

Mr. Franklin from the Committee appointed to draft A Bill of Supply reported "A Bill Entitled An Act to apply the Sum of Two Hundred and Ninety Eight Thousand, Six Hundred and Eighteen dollars and Twenty Five Cents, out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year One Thousand Eight Hundred and Sixty five."

Ordered that above Bill be read a 1st time.

A Communication was then read from His Excellency the Governor.

No. 48

Vancouver Island
Victoria, 15th March, 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

In reply to your Resolution of the 27th Ultio. calling for a statistical Return in accordance with a provision of the Pilot Act 1864, I have the honor to state that no pilots have been licensed under the Act which has hitherto proved inoperative, and that therefore no returns have been made.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Order of the Day, In Committee "Ways and Means."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" begged to report progress and ask leave to sit again; also A Resolution "That (\$5.00) Five dollars shall be the price of a permit for landing potatoes, Two dollars and fifty cents for carrots, turnips and cabbages, and that any two of these Articles shall not be admitted under the same permit."

Ordered that report be adopted and leave granted.

Mr. Dennes gave Notice of Motion in Committee Ways and Means "That a tax be imposed on Auctioneers of 2½ per cent of all sales."

Mr. De Cosmos, pursuant to Notice given by the Honble. Member for Lake District (and in his absence) moved "That An Address be presented to His Excellency the Governor Asking information whether the Harbour Master has granted any licences to foreign Vessels to carry goods or passengers between any two or more places in this Colony; and, if so, what vessels? If so, whether any opinion has been given by the Acting Attorney General that

such licenses are legal, and if so that a Copy of such opinion and the law on which it is founded be sent to this House."

Dr. Trimble seconded.

Agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 17th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Dennes, McClure, De Cosmos, Cochrane, and Drs. Tolmie, Powell, Dickson, Trimble.

The last minutes having been read and confirmed.

Read a 2nd time and committed "A Bill Entitled An Act to apply the sum of Two Hundred and Ninety Eight Thousand, Six Hundred and Eighteen dollars and twenty five cents out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the service of the Year One Thousand Eight Hundred and Sixty five."

Order of the Day.

In Committee of the whole House, "Ways and Means."

Mr. Speaker left the Chair.

Mr. Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Ways and Means" begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Dr. Tolmie gave Notice of Motion in Committee "Ways and Means."

A Communication was then read from the Honble. The Legislative Council enclosing certain Amendments to "A Bill Entitled 'The Vancouver Island Mercantile Law Amendment Act, 1865.'"

Amendments Read a 1st time, and Ordered to be printed.

Election Committee (select) by Ballot: Mr. Dennes, Chairman and Messrs. Franklin, Southgate, Duncan, Cochrane.

Ordered that above Committee meet on Monday 20th inst. at 11 a. m.

The House then adjourned till tomorrow.³⁵

J. S. Helmcken
Speaker.

³⁵ According to the *Colonist*, 18 and 21 March, the House adjourned to Monday but did not sit that day for lack of a quorum.

Tuesday, the 21st day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Trimble, Tolmie, Powell, Dickson, and Messrs. Burnaby, Duncan, De Cosmos, Bayley.

The last Minutes having been read and confirmed.

Mr. Dennes from the (Select) Election Committee in re the Petition of C. B. Young Esqre. vs. L. McClure Esqre. reported that the Committee begged to report the sitting Member to have been duly elected.

Dr. Trimble gave Notice of Motion for tomorrow for the Appointment of A Committee to take into consideration the Indian liquor law and its operation.

Mr. Bayley presented a Petition from certain Inhabitants of Nanaimo in opposition to the Petition presented by him on the 20th Jany. from certain other Inhabitants of the same place.

Ordered to lie on the table.

A Communication was then read from the Honble. The Legislative Council to "A Bill Entitled An Act respecting Common Schools."

Above Amendments Read a first time.

Also A Communication from His Excellency the Governor as follows.

No. 49

Vancouver Island
Victoria, 21st March 1865.

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to submit for your consideration a letter from the Colonial Treasurer relative to the inconvenience of his being left in ignorance of the amounts voted for various Services.

I have the honor to be,
Gentlemen
Your most obedient Servant,
(Sd.) A. E. Kennedy
Governor.

Order of the Day, Committee of "Ways and Means."

Mr. Speaker left the Chair.

Dr. Powell, (in the absence of the Chairman of Ways & Means elected pro tem.) in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of Ways and Means begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 22nd day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Trimble, Dickson, and Messrs. De Cosmos, Duncan, Dennes.

The last minutes having been read and confirmed.

Dr. Trimble pursuant to Notice moved A Resolution "That A Committee be appointed to take into consideration the Indian Liquor Law and its operation."

Seconded by Mr. De Cosmos.

Carried.

Ordered that Drs. Trimble, Powell, Dickson, be appointed a Committee in the above matter.

On motion by Mr. De Cosmos, seconded by Dr. Powell, Ordered that Wednesday next the 29th Inst. be appointed for the House to take under consideration in Committee "The Condition of the Pilot Service of the Port of Victoria."

On motion by Mr. Dennes, seconded by Mr. Duncan, Ordered "That An Address be presented to His Excellency the Governor for returns of the number of Writs of 'Capias ad respondendum', 'Capias ad satisfaciendum,' and 'Ne exeat regno' issued from 1st January 1861, to 1st March 1865—and also the number of such Writs set aside or discharged."

Order of the day.

In Committee of the whole House "A Bill Entitled An Act to alter and amend the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 23rd day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, McClure, Cochrane, De Cosmos, Bayley, Southgate, Dennes, and Drs. Powell, Dickson, Tolmie.

The last minutes having been read and confirmed.

A Communication was read from His Excellency The Governor "No. 50, Victoria, 23rd March 1865" enclosing A Despatch "No. 38, 16th Sept. 1864" from the Rt. Honble. The Secretary of State for the Colonies on the Subject of the Absence of provision in the Estimates (1864) for the Salaries of certain Officers of the Government.

Dr. Dickson gave Notice of Motion for Monday next.³⁶

Order of the Day—In Committee of the whole House "A Bill Entitled An Act to appropriate the Sum of Two Hundred and Ninety Eight Thousand, Six hundred and Eighteen dollars and twenty five cents out of the General Revenue of the Colony of Vancouver Island & its Dependencies to the Service of the Year One thousand Eight hundred and Sixty five."

Mr. Speaker left the Chair.

Dr. Powell in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above Bill begged to report the same complete without Amendments.

Ordered that report be adopted.

The House then went into Committee "Ways and Means."

Dr. Powell (Chairman pro. tem.) in the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" begged to report the following Resolutions.

That a Tax be imposed on Auctioneers of two and One-half per cent on all sales of merchandise or merchantable commodities.

That the Sum of One Hundred Dollars be charged upon all persons who sell opium or allow opium to be smoked, eaten, or drunk in their Establishments.

Ordered—"That report be adopted."

Mr. Cochrane gave Notice of Motion in Committee of Ways and Means for Tuesday next "That a Tax of 2½ per cent be levied on all sales of real estate by Auction."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 24th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Tolmie, Trimble, Dickson, and Messrs. Cochrane, Duncan, De Cosmos, McClure, Burnaby.

The last minutes having been read and confirmed.

³⁶ Motion Book, p. 96: "On Monday next I will ask the House to appoint a committee to consider and report to the House, on or before the fourth day of April, what measures it is desirable to adopt to promote the settlement and agricultural interests of the Colony."

Read a 3rd time & passed "A Bill Entitled An Act to appropriate the sum of \$298,618.25 out of the General Revenue of the Colony of V. I. & its Dependencies to the Service of the Year 1865."

The Resolutions reported from Committee of "Ways and Means" yesterday, viz.:

That a Tax be imposed on Auctioneers of Two and one half per cent on all sales of Merchandise or merchantable commodities.

That the sum of One Hundred dollars be charged upon all persons who sell opium or allow opium to be smoked, eaten or drunk in their Establishments.

Were read and confirmed.

Order of the Day, In Committee "Ways and Means."

Mr. Speaker left the Chair.

Dr. Powell (Chairman pro. tem.) in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" had therein adopted the following Resolution.

That in future All Merchants shall make a return of the Amount of Spirits, Beer, &c. sold by wholesale and shall pay at the rate fixed by the Trade's License Act;

Also progress, and asked leave to sit again.

Ordered that report be received and leave granted.

Dr. Tolmie gave Notice of Motion in Committee Ways and Means "Stamp tax on Newspapers."

The House then adjourned till Monday 27th Inst.

J. S. Helmcken
Speaker.

Monday, the 27th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Bayley, Dennes, De Cosmos, McClure, Southgate, and Drs. Dickson, Powell, Tolmie.

The last minutes having been read and confirmed.

The Resolution reported from Committee of "Ways and Means" on Friday the 24th Inst., viz.:

That in future all Merchants shall make a return of the amount of Spirits, Beer, &c. sold wholesale, and shall pay at the rate fixed by the Trade's License Act."

Was read and confirmed.

Bills read a 1st Time.

A Bill (from Legislative Council) Entitled An Act for obtaining A Declaration of Title.

A Bill (from Legislative Council) Entitled An Act to establish the Postal Service.

Also, on motion by Mr. De Cosmos, seconded by Mr. Dennes "A Bill Entitled An Act to exempt the homestead and other property from forced seizure and sales in certain cases" which last Bill was ordered to be printed.

Bills read a 2nd time and committed.

"A Bill Entitled An Act for securing Liens to Mechanics and others" on motion by Mr. De Cosmos—2nded by Mr. Dennes.

"A Bill Entitled An Act respecting the Registration of Births, Deaths and Marriages in Vancouver Island" on motion Dr. Powell, Seconded by Mr. De Cosmos.

"A Bill To amend the law relating to the Representation of Vancouver Island and its Dependencies" on motion by Mr. McClure, seconded by Mr. Dennes.

Dr. Dickson pursuant to notice moved A Resolution "That the House do appoint a Committee to consider and report to the House on or before the 7th day of April next, what measures it is desirable to adopt to promote the settlement and Agricultural interests of the Colony."

Dr. Powell seconded.

Carried.

Ordered "That Drs. Dickson, Tolmie, [Mr.] Cochrane be a Committee in the above matter."

Order of the Day.

In Committee of the whole House "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862 and to make certain provisions in lieu thereof."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 28th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dennes, De Cosmos, Dickson, Tolmie, McClure, Bayley.

The last minutes having been read and confirmed.

Order of the Day.

The House went into Committee "Ways and Means."

Mr. Speaker left the Chair.

Mr. Bayley (Chairman pro. tem.) in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Mr. De Cosmos gave Notice of Motion in Committee of "Ways and Means" "That the annual licence of Bankers be \$1,000.00."

Mr. McClure gave Notice of Motion in Committee of Ways and Means "That the Auctioneers license be reduced to \$100. per annum."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 29th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dennes, McClure, Tolmie, Dickson, Bayley.

The last minutes having been read and confirmed.

On motion by Dr. Dickson, 2nded by Mr. McClure The Amendments by the Honble. the Legislative Council to "A Bill Entitled An Act respecting Common Schools" were Ordered to be referred to a Committee of the whole House.

The House then went into Committee of the whole to report upon "A Bill To amend the law as to imprisonment for Debt."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same favorably to the House.

The House then went into Committee of the whole upon "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof."

Mr. Bayley in Chair of the Committee.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete with amendments.

Ordered that report be agreed to.

Also—Upon a Resolution "That the House take into consideration in Committee the condition of the 'Pilot Service of the Port of Victoria'."

Mr. Bayley in the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject, had agreed to the following Resolution, viz.:

That the Pilot Act be amended as follows:

That all Vessels of Fifty Tons and upwards from any Port other than the Ports of Vancouver Island and British Columbia shall pay Pilotage as provided by the Pilot Act, 1864.

That no clearance be granted by the Harbour Master to any Vessel subject to Pilotage except on showing a receipt for Pilotage, inwards and outwards.

That such Sections or parts of Sections as are contrary to the above be repealed.

That a Bill be ordered to carry out the above provisions.

Ordered that report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 30th day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Bayley, Cochrane, Dennes, De Cosmos, Franklin, McClure, and Drs. Dickson, Tolmie, Trimble.

The last Minutes having been read and confirmed.

A Communication (No. 52) was read from His Excellency the Governor as follows.

[No. 52]

Victoria, 30th March, 1865

To the Honble. the Speaker and Members of the Legislative Assembly

Gentlemen

I have the honor to transmit two Petitions which have come into my hands addressed to the Honorable the Speaker and Members of the Legislative Assembly on the Subject of Postal Communication with the Mining District at Leech River.

I have the honor to be,

Gentlemen,

Your most obedient Servant,

(Sd.) A. E. Kennedy
Governor.

Also A Communication (No. 53) from His Excellency the Governor, as follows.

[No. 53]

Victoria, 30th March, 1865

To The Honble. the Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor to transmit for the information and consideration of the House of Assembly the copy of a letter³⁷ addressed to me by the Acting Colonial Secretary on the subject of the Annual Estimates for 1865, lately passed by the Legislature together with an Estimate of sums required to defray the expenses of the Colonial Government for the same year.

I concur generally with the views of this officer and I feel confident they will receive the careful consideration of the Legislative Assembly which the importance of the subject demands.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy
Governor.

Also A Communication (No. 51) dated Victoria, 30th March, 1865 from His Excellency the Governor acknowledging receipt of certain Resolutions passed in Committee of Supply and transmitted to His Excellency on the 24th Inst.
Ordered to be referred to Committee of Supply.

Order of the Day, In Committee "Ways and Means."

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

Dr. Dickson gave Notice of Motion in Committee of Ways and Means "That the postage on all letters coming into and going out of the Colony be increased to 10 cts. per ½ oz., and that all letters brought by common carriers and express companies be liable for Colonial Postage."

Dr. Helmcken gave Notice of Motion in Committee "Ways and Means" that the permit for landing merchandise shall be one dollar and one half of one per cent on the value of such merchandise.

That the Trade's Licenses shall be ten dollars per annum; and ½ of one per cent upon the gross sales.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

³⁷ Wakeford to Kennedy, 28 March 1865, enclosed in Kennedy's Message No. 53, Vancouver Island, House of Assembly, Returns, Messages, etc., to House, PABC.

Friday, the 31st day of March, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Burnaby, McClure, Cochrane, Southgate, Carswell, Tolmie, Trimble, Dickson.

The last Minutes having been read and confirmed.

The House went into Committee "Ways and Means."

Mr. Speaker left the Chair.

Mr. Dennes (Chairman pro. tem.) in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" had therein agreed to the following Resolutions.

That the Trades License shall be Ten Dollars per Annum and One half of One per cent upon the gross Sales; goods in transitu as at present.

That the permit for landing merchandise shall be One dollar and One half of one per cent upon the Invoice value of such merchandise.

That the annual license for "Banking" be one thousand dollars.

The Chairman also reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Monday (3rd April).

J. S. Helmcken
Speaker.

Monday, the 3rd day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Bayley, Burnaby, De Cosmos, Dennes, Duncan, Cochrane, Southgate, McClure, Franklin, and Drs. Powell, Tolmie, Dickson, Trimble.

The last minutes having been read and confirmed.

The House took under consideration certain Resolutions reported from Committee of the whole House on the 29th Ult. on the subject of "the condition of the Pilot Service of the Port of Victoria."

On Question "that the Resolutions do pass."

Dr. Tolmie moved An Amendment, Seconded by Mr. Burnaby "That the said Resolutions be recommitted."

For Dr. Tolmie's Amendment

Ayes: 7.

Messrs. Tolmie
 Burnaby
 Southgate
 Powell
 Bayley
 Franklin
 Cochrane

Against Dr. Tolmie's Amendment

Noes: 6.

Messrs. Trimble
 McClure
 De Cosmos
 Dennes
 Duncan
 Dickson

The Amendment was therefore carried, and the above mentioned Resolutions recommitted.

The House then took under consideration and agreed to the following Resolutions reported from Committee of "Ways and Means" on the 31st Ultio.

That the Trades License shall be Ten dollars per annum and one half of one per cent upon the gross sales; goods in transitu as at present.

That the annual license for Bankers be One Thousand Dollars.

On motion by Mr. Burnaby, seconded by Mr. Southgate the following Resolution reported from Committee of Ways and Means on the 31st Ultio. was recommitted.

That the permit for Landing Merchandise shall be one dollar and one half of one per cent upon the value of the Invoice of such Merchandise.

On motion by Mr. De Cosmos, Seconded by Dr. Powell "A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof" was recommitted.

Question.

For recommitment:

Ayes: 7.

Messrs. De Cosmos
 McClure
 Franklin
 Duncan
 Powell
 Dickson
 Cochrane

Against recommitment:

Noes: 6.

Messrs. Tolmie
 Bayley
 Dennes
 Burnaby
 Trimble
 Southgate

In Committee of the whole House.

Certain Amendments by the Honble. the Legislative Council to "A Bill Entitled An Act respecting Common Schools" (read 21st Ultio.).

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Amendments begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
 Speaker.

Tuesday, the 4th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, Dickson, De Cosmos, McClure, Duncan, Tolmie, Dennes.

The last minutes having been read and confirmed.

Mr. Speaker read a Communication from H. Excy. the Governor.

"No. 54," dated "Victoria, 4th April 1865" transmitting Copy of a Despatch "No. 1, 2nd Jany. 1865" from The Rt. Honble. The Secretary of State for the Colonies in reply to certain Resolutions passed by the Legislative Assembly relative to the "Appointment of A Chief Justice."

Ordered to be referred to Committee "Ways and Means."

Also a Communication from H. Excy. The Governor "No. 55, dated Victoria 4th April, 1865" in reply to certain Resolutions transmitted from this House (v. R. 22nd Ulto. [p. 290 above]) calling for Returns of certain Writs, &c.³⁸

Mr. McClure gave Notice of Motion.³⁹

J. S. Helmcken
Speaker

Thursday, the 6th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Bayley, Dennes, Duncan, De Cosmos, Southgate, Carswell, Franklin, McClure, and Drs. Dickson, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

Mr. McClure, pursuant to notice, moved a Resolution "That a Committee be appointed to wait upon His Excellency the Governor in reference to sending a Delegate to England for the more speedy settlement of the questions of 'Union of the Colonies' and of the 'Crown Lands.'"

2nded by Dr. Dickson.

On motion by Mr. Duncan, seconded by Mr. McClure a final letter "s" was added to the word "Delegate" to read "Delegates"; and on question "that the Resolution as amended do pass."

³⁸ Kennedy's Message No. 56, Messages to House, is also dated 4 April 1865, and transmitted a draft of a bill amending the Trade Licences Amendment Act, 1862. The message was not mentioned in either the minutes or the newspaper.

³⁹ Motion Book, p. 97: "I give notice that I will tomorrow move for the appointment of a Committee to wait upon His Excellency in reference to sending a delegate to England for the more speedy settlement of the question of Union of the Colonies and of the Crown Lands."

The House divided.
Question.

Ayes: 8.

Messrs. McClure
De Cosmos
Carswell
Dennes
Southgate
Trimble
Franklin
Duncan

Noes: 4.

Messrs. Tolmie
Burnaby
Dickson
Powell

The Resolution was therefore carried.

Ordered "That Messrs. McClure, Southgate, Burnaby, Dickson, Powell be appointed A Committee to wait upon His Excellency the Governor as above."

Order of the Day

House in Committee "Ways and Means."

Mr. Speaker left the Chair.

The Chairman of "Ways and Means" in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration A Resolution recommitted by the House on the 3rd inst. on the subject of "Permits for Landing Goods" had "Resolved that the permit for landing goods shall be one dollar and fifty cents for every invoice below One hundred dollars and fifty cents additional for every One hundred or part of one hundred dollars above that sum (invoice value)."

The Chairman also reported in regard to the Supplemental Estimates, progress and asked leave to sit again.

Ordered that report be received and leave granted.

Dr. Dickson gave Notice of Motion in Committee of Ways and Means.⁴⁰

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

⁴⁰ *Colonist*, 7 April 1865: "Dr. Dickson gave notice of the following resolutions: *Resolved*,—That this House does not construe the Dispatch to His Excellency the Governor from the Right Hon. the Secretary of State for the colonies, of the 16th September, 1864, a copy of which His Excellency has transmitted to this House, as prohibiting the payment from the Crown Revenues of the colony of other salaries and charges than those of the Governor and Colonial Secretary, and therefore does not recognise the necessity of providing from the Colonial Revenue for such expenditures as were by the resolutions of this House regarded as chargeable to the Crown Revenue.

"2. That as the said Dispatch is believed by this House to have been written before Her Majesty's Secretary of State was informed of the discovery of the gold fields at Sooke and Leech river, and of the new sources of crown revenue thereby opened up, and which are beyond the control of this House, the House cannot doubt the willingness of Her Majesty's government to defray these out of the charges involved in the collection of such additional crown revenue; and while recognising the necessity of the services of a Gold Commissioner,

Friday, the 7th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Bayley, Burnaby, Carswell, Dennes, De Cosmos, Duncan, Southgate, Franklin, Cochrane, McClure, and Drs. Tolmie, Trimble, Dickson.

The last minutes having been read and confirmed.

The House took under consideration and confirmed A Resolution reported from Committee of "Ways and Means" yesterday on the subject of "Permits for landing goods" &c. (See R. 6th Inst.).

Mr. McClure, from the Committee appointed yesterday to wait upon His Excellency the Governor, in reference to "sending home a Delegate to England for the more speedy settlement of the question of Union of the Colonies and of the Crown Lands" reported

That the Committee had duly waited upon His Excellency the Governor, and that His Excy. stated his opinion that a delegation such as the one proposed would not achieve the object intended by the House—that His Excellency declined taking the responsibility of nominating Delegates in the matter—but assured the Committee that he would, if the House so resolved, send down a Supplemental Estimate providing for the expenditure attendant upon such Delegation.

Dr. Dickson from the Committee appointed on the 27th Ultio. "To consider and report to the House what measures it may be desirable to adopt to promote the settlement and Agricultural interests of the Colony" reported

That the Committee having failed to agree as to the means best to be adopted to further the settlement and promote the Agricultural Interests of the Colony he begged to submit to the House a duplex (majority and minority) report.

Ordered for Monday next in Committee.

Order of the Day.

Committee of Supply.

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report.

That this House is not prepared to vote the sum of \$15,148.95 for the erection of Lighthouses as a reimbursement of Money advanced by the Imperial Government.

who in the opinion of this House should be invested with the powers of a Justice of the Peace within the gold district, this House believes that the Governor will be justified in paying the expenses resulting from such an appointment from the crown revenues.

"3. That an address from this House be presented to His Excellency the Governor, respectfully requesting that copies of all correspondence between His Excellency and Her Majesty's Government, on the subject of the collection and disbursement of the crown revenues, may be laid before this House."

That this House cannot deal with the items of \$34,066.20 under the head of re-imbursements until the details of that amount are laid before it; which detail, the Executive is requested to furnish.

The Chairman also reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 10th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, Duncan, De Cosmos, Dickson, Bayley, Burnaby, Powell, Tolmie, Trimble, McClure.

The last minutes having been read and confirmed.

A Communication (dated 7th April 1865) was read from the Honble. The Legislative Council transmitting "A Bill Entitled An Act to amend the law of Evidence" which was Read a first time.

Mr. McClure from the Committee appointed to wait upon His Excellency the Governor in reference to "A Delegation to England" submitted the following Report.

The Committee ordered by the House to wait upon His Excellency Governor Kennedy in reference to the Appointment of Delegates to England for the more speedy settlement of the questions of Union of the Colonies and the Crown Lands beg leave to submit the following:

His Excellency considered that a delegation would not hasten the settlement of the Crown Lands question; the Evidence that had been taken by the committee of the House on this important question was not obtained on Oath, and was therefore, in the opinion, valueless to the Secretary of State for the Colonies.

If His Excellency appointed a delegation, he would be obliged, in common justice, to send a representative of the Hudson's Bay interests as well as a representative of the people's. Such an arrangement, however, would not place Mr. Cardwell in any better position to arrive at the merits of the question; for, it would be merely laying before him two conflicting Statements.

His Excellency on the above grounds and in consequence of certain despatches which had been forwarded to the Colonial office some time ago and with which a delegation might conflict would not assume the responsibility of appointing Agents to settle the vexed question. He would, however, be quite willing to accept the Appointments made by the House and would place on the Supplementary Estimates any Sum the House might suggest to cover the expenses of such delegation.

Ordered to lie on the table.

The House then took under consideration & confirmed certain Resolutions reported from Committee of Supply on the 7th inst. (see fol. 201 [pp. 301-302 above] R.) as to "Re-imbursements."

For the erection of Lighthouses in Fuca Straits \$15,148.95.

To Crown revenues of moneys applied to general purposes \$34,066.20.

Ordered for Wednesday the 19th inst.

In Committee of the whole House—The Report of the Committee as to the means best to be adopted “to promote the Agricultural interests of the Colony.”

In Committee of the whole House “A Bill Entitled An Act to amend the manner of taking the verdict of a Jury in Civil cases.”

Also “A Bill Entitled An Act to repeal the Victoria Incorporation Act, 1862, and to make certain provisions in lieu thereof” (*recommitted*).

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the above mentioned Bills under consideration begged to report, in regard to the first, “The Bill complete with amendments”; in regard to the 2nd “The Bill complete with amendments.”

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 11th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Bayley, Carswell, Cochrane, Dennes, De Cosmos, Franklin, McClure, Southgate, and Drs. Powell, Trimble, Tolmie, Dickson.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos, seconded by Mr. McClure “A Bill Entitled An Act respecting the descent of real property” was Read a 1st time and Ordered to be printed.

Order of the Day, “Committee of Supply.”

Mr. Speaker left the Chair.

The Chairman “Ways and Means” in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of “Supply” begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 12th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. McClure, De Cosmos, Dennes, and Drs. Dickson, Tolmie.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege; to correct certain mis-statements which appeared in the "British Colonist" Newspaper, in its report of a Speech made by him yesterday in Committee of Supply.

Order of the Day.

In Committee of the whole House Certain Amendments by the Honble. The L. Council to "A Bill Respecting Common Schools" (read 1st time 21st March).

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the Amendments by the Honble. The Legislative Council to the above Bill begged to report as follows.

Amendments.

Strike out Clause 1.

Carried.

Amend clause 2 to read as follows: "It shall be lawful for the Governor from time to time to appoint not less than *five* persons who shall constitute a General Board of Education, three of whom shall form a quorum."

The Legislative Assembly amends further the amendment of the Honble. the L. Council by striking out the word "five" and inserting the word "nine."

Amend clause 3 to read as follows: "It shall be lawful for the Governor to appoint a Superintendent of Education for the said Colony who shall ex officio be Secretary of the said Board and record the proceedings thereof."

The Legislative Assembly amends further the Amendment by the Honble. The Legislative Council by inserting after the words "said Colony" the words "at a Salary of \$1500.00 per annum."

Insert between Clauses 2 and 3 the following, which will become Clauses 2 and 3:

The General Board of Education shall be a body corporate, with all the general powers of law affecting, or relating to Bodies Corporate, and all School property shall be vested in such general Board.

The General Board of Education, shall meet at least once a month and shall report to the Governor as to the state and condition of Common Schools, and other particulars relating thereto, at such times, and in such manner and form as the Governor shall from time to time in that behalf direct.

Carried.

Strike out Clause 4.

Not agreed to. Clause 4 (Bill) to stand.

Strike out Clause 5.

Carried.

Amend Clause 6 as follows: "It shall be lawful for the said Board, from time to time, with the approval of the Governor, to establish as many School Districts in the said Colony as they shall deem expedient, and to prescribe such course of education and discipline, and to select and prescribe for use in each District School, such Books as they may think best, and to authorize the purchase and distribution thereof."

Carried.

Strike out Clauses 7 to 40, and substitute for them the following:—

7 It shall be lawful for the Governor from time to time to appoint such persons as he think fit to be Teachers of Common Schools.

7 Carried.

8 It shall be lawful for the Governor from time to time to appoint a local Board of Education of not less than three persons in any School District, if he shall think it expedient so to do.

8 Carried.

9 Such last named Board shall have power and authority to visit and report on the state of the Schools within its District for the information and guidance of the General Board of Education.

9 Carried.

10 The general mode of transacting business by such local Board of Education, and the nature of the reports to be furnished, shall be subject to the order and direction of the General Board of Education.

10 Carried.

11 The duties of all Teachers of Common Schools shall be subject to the order and direction of the General Board of Education.

11 Carried.

12 It shall be the duty of the Superintendent of Education to visit Common Schools and report thereon by the order and according to the instructions of the General Board of Education.

12 Carried.

Amend Clause 42 by inserting the word "General" before the word "Board." Clause 42 to be Clause 14.

Strike out Clauses 43 to 55 and substitute the following:—

Every Common School shall be open to the Children of persons of all denominations; the power of expulsion in cases of gross misconduct shall be at the discretion of the Board of Education or in the absence of such local Board at the discretion of the teacher. To be Clause 15.

Carried.

The General Board of Education shall have power to regulate the amount of School fees payable for Educational purposes, in any Common School, so however that the same do not exceed 50 centimes per month for each Scholar,

and shall have power, if occasion require, to remit the payment of such fees, in whole or in part. Provided always, that such fees shall be applied by the said Board to such School purposes as they may see fit.

Struck out.

Clause 56, strike out the word "for" before "1865."

To be Clause 16.

Carried.

Ordered that report be agreed to.

In Committee of the whole House "A Bill Entitled An Act for securing Liens to Mechanics & others."

Also "A Bill Entitled An Act respecting Weights and Measures."

Mr. Speaker left the Chair.

Dr. Powell in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Bills begged to report the same complete respectively, as amended.

On motion by Mr. Dennes, 2nded by Mr. McClure "A Bill Entitled An Act to amend the law as to Imprisonment for Debt" was Read a first time.

On motion by Mr. Dennes, 2nded by Mr. De Cosmos The Standing Orders were suspended and "A Bill Entitled An Act to amend the law as to Imprisonment for Debt" was Read a 2nd time and committed.

J. S. Helmcken
Speaker

Thursday, the 13th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Duncan, Dennes, De Cosmos, Dickson, Burnaby, McClure, Carswell, Cochrane, Franklin, Trimble, Powell, Tolmie.

The last minutes having been read and confirmed.

The following Communication was read from His Excellency the Governor.

[No. 57]

Vancouver Island
Victoria, 15th [13th] April, 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to transmit "A Bill to impose a Customs duty on the importation of certain stock carcasses and vegetables" &c. giving effect to Resolutions lately adopted by the Legislative Assembly and to request that you will cause the same to be introduced in the usual manner.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(sd.) A. E. Kennedy
Governor

Ordered—To be referred to Committee of "Ways and Means."

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Supply" begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Thursday next the 20th Inst. for the Easter Vacation.

J. S. Helmcken
Speaker.

Thursday, the 20th day of April, 1865

The House met this day at 3:15 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Trimble, Dennes, McClure, Franklin, Burnaby, Duncan, De Cosmos, Southgate, Powell.

The last minutes having been read and confirmed.

Mr. Speaker read the following Communication from His Excellency the Governor.

No. 58

Vancouver Island
Victoria, 20th April, 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

Referring to the Resolution of the Legislative Assembly in Committee of Supply relative to the sum of \$34,066.20 under the head of re-imbursements forwarded to me on the 11th instant, I have the honor to supply the following information.

By the statement of the Treasurer dated 5th Novr. 1864 submitted to the Legislative Assembly on the 13th Jany. 1865 it appears that the actual balance of Crown Revenues on the 31st Decr. 1863, amounted to \$34,321.⁶⁵/₁₀₀. The particulars of this balance will be seen by examination of the return of the Treasurer dated 23rd Feby. 1865 and furnished to the House on that date.

It further appears that the estimated proceeds of the various sources of Crown Revenues for 1864 were \$27,413.00 making, together with the sum of \$34,321.65 an amount of \$61,734.65 available for Crown purposes during 1864.

On the other hand the following Sums were payable during 1864, out of that \$61,734.65.

Salary of Governor at	\$	cts
£3,000 per annum	11,147.18	
" " Colonial Secretary at £600 [per annum]	2,910.00	
Arrears of Salary of late Governor for 1861, 1862, and 1863, drawn in 1864	12,964.61	
Salary of late Governor for Jany. & Feby. 1864	646.66	
	27,668.45	

The difference between \$27,668.⁴⁵/₁₀₀ and \$61,734.⁶⁵/₁₀₀ viz., \$34,066.²⁰/₁₀₀ therefore represents the amount which should have been in hand on 31st Decr. 1864, on account of Crown Revenues. That balance however was wholly expended

during that year for the general expenses of the Colony including a Sum of \$10,670. paid in the same year for the salaries of the Chief Justice, the Attorney General, the Treasurer, and the Surveyor General.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

A Communication was read from the Honble. The Legislative Council transmitting "A Bill Entitled An Act relating to Gold Mining."

Ordered That above Bill be read a 1st time; and printed.

Also, A Communication from the Honble. The Legislative Council, amending further certain Amendments by the Legislative Assembly to the Honble. the L. Council Amendments to "A Bill Entitled An Act respecting Common Schools."

Mr. Speaker appointed Messrs. Burnaby, Franklin, McClure to be a Committee to bring in Bills carrying out the Resolutions reported from Committee "Ways and Means."

On motion by Mr. Franklin, seconded by Mr. McClure Resolved "That this House taking into consideration the great calamity which has befallen the United States of America and the rest of the civilised World in the Assassination of President Abraham Lincoln does adjourn till tomorrow as a mark of respect to the memory of the great departed—the Chief of a nation connected by the nearest ties with our own, and glorying in the same origin, the same traditions, and the same freedom."

Ordered that above Resolution be transmitted to His Excellency the Governor.

J. S. Helmcken
Speaker.

Friday, the 21st day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, Dennes, Duncan, Burnaby, Powell, De Cosmos, Dickson, Trimble, McClure, Tolmie.

The last minutes having been read and confirmed.

A Communication (No. 59 dated Victoria, 21st April 1865) was read from His Excellency the Governor, giving cover to a Petition from certain Settlers in Cowichan Valley regarding the question of Indians in that district.

The above Petition was Ordered to lie on the table.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

The Chairman of Ways & Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Supply" begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.⁴¹

J. S. Helmcken
Speaker.

Monday, the 24th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Franklin, Burnaby, Southgate.

The last minutes having been read and confirmed.

On question that "A Bill Entitled An Act to repeal the Victoria Incorporation Act 1862, and to make certain provisions in lieu thereof" be read a 3rd time.

The House divided.

Question.

Ayes: 2.

Messrs. De Cosmos
Dickson

Noes: 4.

Messrs. Franklin
Burnaby
Dennes
Southgate

The Bill was therefore rejected.

Bills read a third time and passed.

A Bill Entitled An Act respecting Weights and Measures.

A Bill Entitled An Act to amend the manner of taking the verdict of a Jury in Civil cases.

A Bill Entitled An Act for securing Liens to Mechanics and others.

Bills read a second time and committed.

A Bill Entitled An Act respecting the descent of real property.

A Bill Entitled An Act to exempt the Homestead and other Property from forced seizure and sales in certain cases.

A Bill Entitled An Act to amend the law of Evidence.

A Bill Entitled An Act for obtaining a Declaration of Title and A Bill Entitled An Act to establish the Postal Service (Dissentiente Dr. Dickson).

⁴¹ According to the *Colonist*, 22 April 1865, the House adjourned to Monday.

In Committee of the whole House A Bill Entitled An Act for obtaining a Declaration of Title.

Also A Bill Entitled An Act to exempt the homestead and other property from forced seizure and sales in certain cases.

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had the foregoing Bills under consideration begged in regard to the first—"To report the same complete without amendments;" in regard to the second—"To report the same complete without Amendments."

Ordered that report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 25th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Franklin, Powell, Burnaby, De Cosmos, Bailey, Dickson, McClure, Trimble, Duncan, Dennes, Carswell.

The last minutes having been read and confirmed.

A Communication (No. 60) dated 25th April, 1865, from His Excellency the Governor, was read—"Transmitting further information to that already furnished by His Excellency on the 20th April, instant, as to Receipts on Account of and charges against 'The Crown Revenues of the Colony'."

Ordered to be referred to Committee of Supply.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 26th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, Dickson, McClure, Franklin, De Cosmos, Powell.

The last minutes having been read and confirmed.

On motion by Dr. Dickson, 2nded by Mr. McClure "A Bill Entitled An Act to make better provision for the custody of the Estates of deceased persons" was Read a first time and Ordered to be printed.

The House then took under consideration certain Amendments by the Honble. the Legislative Council (Recd. & read 20th Inst.) to the amendments further made by the Legislative Assembly to the Honble. the Legislative Council Amendments to "A Bill Entitled An Act respecting Common Schools."

The following Amendment by the L. Council, viz.: "The Legislative Council adheres to its Amendment striking out Clause 4" was not agreed to.

The Legislative Assembly adheres to the original clause (4) remaining in the Bill (Dissentiente Mr. Franklin).

The following Amendment by the L. Council, viz.: "That the Council adheres to its Amendment 'that the General Board of Education shall have power to regulate the amount of School fees &c.' was not agreed to—the Legislative Assembly adhering to its Amendment that the Clause be stricken out."

Ordered that the Bill with Amendments be sent back to the Honble. The Legislative Council.

A Communication was then read from His Excellency the Governor, as follows:

No. 61.

Victoria, 26th April, 1865

To the Honble. the Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to acknowledge the receipt of your Communication dated 21st March, 1865 requesting to be supplied with information relative to the admission of foreign Vessels to the coasting trade of this Colony and in reply thereto I have to state that foreign Vessels in one or two instances appear to have been permitted to ply between places in this Colony but that instructions have been issued to prevent a recurrence of the grant of such permission as being contrary to law.

I have the honor to be,
Gentlemen,

Your most obedient Servant,

(Sd.) A. E. Kennedy,
Governor.

In Committee of the Whole House "A Bill Entitled An Act respecting the Registration of Births, Deaths and Marriages in Vancouver Island."

Mr. Speaker left Chair.

Mr. Dennes in Chair of Committee.

Mr. Speaker resumed Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill begged to report the same complete without Amendments.

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 27th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, De Cosmos, Duncan, McClure, Trimble, Carswell, Franklin, Dennes, Powell, Southgate, Burnaby, Cochrane.

The last minutes having been read and confirmed.

Order of the Day: "Committee of Supply."

Mr. Speaker left Chair.

Mr. Chairman "Ways & Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Supply" begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 28th day of April, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dennes, Duncan, Bayley, Southgate, Trimble, McClure, Dickson, Tolmie, Burnaby, Franklin, Carswell, Powell, Cochrane.

The last minutes having been read and confirmed.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

The Chairman "Ways and Means" in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report the following Resolutions.

Resolved That this House considers the Scale of Salaries proposed as a Civil List in the Despatch of June 15th 1863, far too high for the present small population of the Colony of Vancouver Island exclusively to bear. But as this House has during the present Session expressed an earnest desire to establish a settled policy conducive to the furtherance of Imperial and local interests by declaring itself in favor of an immediate Union of this Colony with British Columbia under such Constitution as Her Majesty's Government may grant, and in order to remove any impediment to the consummation of such Union, This House is willing to vote the Civil List proposed in the Despatch of 13th [15th] June, 1863 for the period ending the 31st day of Decr. 1866, on condition that the control of the Crown Lands and Revenues be granted to the local Legislature; And on this further condition that the said Action of this House shall not in any way be construed by Her Majesty's Government to be a renunciation of the claim which the people of this Colony through their representatives have preferred to the lands, water frontage, and proceeds of land sales set aside by the Indenture of February, 1862, to the Hudson's Bay Company.

Provided that nothing in these Resolutions shall in any way be construed to conflict with the Resolutions in favor of Union with British Columbia passed by this House, on the 22nd January, 1865, the Resolutions passed this day being simply and solely intended to remove possible obstacles to the speedy consummation of that Union.

Provided however that if Union of the Colonies be not consummated before the 31st day of December, 1866, the Officials shall be made responsible to the people by election to the Legislature or otherwise; or the people's Representatives shall have power to reduce the Civil List to a figure more commensurate with the revenue of the Colony.

Resolved that the foregoing Resolutions be forwarded to His Excellency the Governor for transmission to Her Majesty's Government.

The Chairman also reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

Mr. J. J. Southgate, Member for Esquimalt Town, obtained leave of Absence for six months.

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 1st day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Tolmie, Powell, Dickson, Trimble, and Messrs. Burnaby, Carswell, Cochrane, De Cosmos, Dennes, Duncan, Bayley, McClure, Franklin, Southgate.

The last minutes having been read and confirmed.

On question that certain Resolutions reported from Committee of Supply on the 28th Ultó. (v. f. 218 [p. 313 above] R.) be Read a 2nd time.

Dr. Dickson, seconded by Mr. Duncan, moved an amendment "That the House do now adjourn till tomorrow."

Question.

For the Amendment

Ayes: 6.

Messrs. Dickson
De Cosmos
Trimble
Carswell
Dennes
Duncan

Against the Amendment

Noes: 8.

Messrs. Bayley
Burnaby
Southgate
Franklin
Cochrane
Powell
Tolmie
McClure

The Amendment was therefore lost.

On question by Dr. Trimble Mr. Speaker ruled—"That the consideration of the Resolutions reported from Committee of Supply on the 28th Ultó. was not strictly in compliance with the Standing Orders of this House, the question of the 'Crown Revenues of the Colony' having been disposed of, for the term of the present Session, by certain Resolutions adopted by this House on the 21st Novr. last."

In reply to Mr. Burnaby Mr. Speaker ruled "That by the Standing Orders of this House, Notice of Motion was required in cases of 'Suspension of the said Standing Orders'." Mr. Speaker advised that the Standing Orders of the House be suspended in cases of the most cogent necessity only.

Mr. Burnaby gave Notice of Motion for tomorrow.⁴²

Bills read a 3rd time and passed.

A Bill Entitled An Act to exempt the Homestead and other Property from forced seizure and sales in certain cases.

A Bill Entitled An Act for obtaining a Declaration of Title.

A Bill Entitled An Act respecting the Registration of Births Deaths and Marriages in Vancouver Island.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

⁴² Motion Book, p. 99: "I give Notice That at the next meeting of the House I shall move 'That the standing orders be suspended with the view of taking into consideration the question of Crown Lands & Civil List'."

Tuesday, the 2nd day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Burnaby, Franklin, Southgate, De Cosmos, McClure, Duncan, Dennes, Tolmie, Powell.

The last minutes having been read and confirmed.

Mr. Burnaby, seconded by Dr. Powell, moved A Resolution "That the Standing Orders be suspended with the view of taking into consideration the question of the Crown Lands and Civil List, and that the Resolutions reported from Committee of Supply on the 28th Ultio. and decided in the House yesterday to be not in order be sent back to the Committee."

Question.

For Mr. Burnaby's Resolution

Ayes: 7.

Messrs. Burnaby

Tolmie

Dickson

Southgate

Bayley

Powell

Franklin

Against the Resolution

Noes: 3.

Messrs. Dennes

Trimble

Duncan

The Resolution was therefore carried.

The Standing Orders having been suspended The House took under consideration certain Resolutions reported from Committee of the whole House on the 28th Ultio.

Mr. Speaker left the Chair.

Mr. Chairman Ways and Means in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Resolutions begged to report the same to the House complete without Amendments (R. 28th April).

Ordered that report be received.

The House also took under consideration in Committee of Supply The Supplemental Estimates.

The Chairman "Ways and Means" in the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

Dr. Trimble gave Notice of Motion in Committee W. & Means.⁴³

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

⁴³ *Colonist*, 3 May 1865: "Dr. Trimble gave notice of motion for a tax of \$2 per gallon on liquors; 25 cents per gallon on ale and porter in bulk; 50 cents per dozen on ditto in bottle; \$5 per M on cigars, and 50 cents per lb. on tobacco."

Wednesday, the 3rd day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Cochrane, Dennes, De Cosmos, Franklin, Duncan, and Drs. Powell, Trimble.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege to correct certain mis-statements which had been made in the "Daily Chronicle" Newspaper, in its report of a Speech made by him in the House yesterday.

Order of the Day.

Second Reading of certain Resolutions reported from "Committee of Supply" yesterday regarding the Crown Lands and the Civil List.

On question that the above Resolutions do pass.

The House divided.

Ayes: 5.

Messrs. Burnaby
Franklin
McClure
Cochrane
Powell

Noes: 3.

Messrs. Trimble
De Cosmos
Duncan

The Resolutions were therefore confirmed.

On question that Mr. Speaker do now leave the Chair upon the order of the Day in Committee of the whole House, viz.: "A Bill Entitled An Act to amend the law as to Imprisonment for debt"—the House was counted, and, A Quorum not being present, adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 5th day of May, 1865

Present: Mr. Speaker and Messrs. De Cosmos, Bayley, Dennes.

A Quorum not being present the House did not sit.

J. S. Helmcken
Speaker.

Monday, the 8th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dennes, Dickson, Franklin, McClure.

The last minutes having been read and confirmed.

A Communication was read from His Excellency The Governor, as follows,

[No. 62]

Vancouver Island
Victoria, 4th May, 1865.

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to acknowledge the receipt of Resolutions passed in Committee and confirmed by the Legislative Assembly on the 3rd May 1865, stating the conditions upon which the House is disposed to accept the Crown Lands and vote a Civil List for this Colony and conveying a request that those Resolutions may be transmitted to Her Majesty's Government. It will afford me great pleasure to transmit this manifestation of a desire on the part of the Legislative Assembly to adjust a difference which has seriously impeded, and must, while unsettled, continue to retard the progress of the Colony. I must, however, point out to the House that the conditions laid down in these Resolutions differ so materially from those proposed in the Duke of Newcastle's Despatch dated 15th June 1863 that I do not feel justified in departing from the instructions conveyed to me in the subsequent Despatch of Her Majesty's Secretary of State for the Colonies, a Copy of which I enclose.

In reference to that portion of the Resolutions expressing the opinion of the L. Assembly that the Scale of Salaries proposed (in the Despatch, 15th June 1863) is far too high I take this opportunity of assuring the House of my hearty co-operation in recommending or establishing any Scale which, after full deliberation, may be found compatible with true economy which consists in obtaining for the public the best possible Services at a reasonable cost.

I would suggest that the Salaries of Officers necessary for the conduct of the public Service be voted and charged against the General Revenue pending the reply of Her Majesty's Government to the proposal submitted in the Resolutions of 3rd May, 1865.

I have the honor to be, Sir
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

The above Communication was "Ordered to be referred to Committee of Supply" (Dissentiente Mr. De Cosmos).

Mr. De Cosmos gave Notice of Motion for Wednesday, 10th inst.⁴⁴

Mr. De Cosmos „ „ „ „ „ „ „ „ ⁴⁵

⁴⁴ Motion Book, p. 99: "On Wednesday next I will move That an address be presented to His Excellency the Governor inquiring whether he has taken any steps to preserve the Church Reserve as a public square in accordance with an address of this House dated June 27th 1864."

⁴⁵ Motion Book, p. 99: "On Wednesday next I will move that a Committee of Four be appointed to report forthwith on the manner in which the Dredger and other apparatus for improving Victoria Harbour is managed."

The House then went into Committee of the whole House upon "A Bill Entitled An Act to amend the Law as to Imprisonment for debt"; Upon "A Bill Respecting the descent of real property"; and upon "A Bill To amend the law relating to the Representation of Vancouver Island and its Dependencies."

Mr. Speaker left the Chair.

Mr. Dickson in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, In regard to the first—Progress and asked leave to sit again; in regard to the second, that the Bill was complete without Amendment; in regard to the 3rd complete without Amendment.

Ordered that the Reports be received respectively and agreed to.

On motion by Dr. Dickson, 2nded by Mr. McClure "A Bill Entitled An Act to make better provision for the custody of the Estates of deceased persons" was Read a 2nd time and committed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 9th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Dennes, Franklin, McClure, Duncan, Carswell, and Drs. Dickson, Tolmie, Powell.

The last minutes having been read and confirmed.

Order of the Day, "Committee of Supply."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Supplemental Supply" begged to report that the Committee had therein voted a Sum of Thirteen Thousand Nine hundred and forty dollars (as follows) for the use of Her Majesty.

ESTABLISHMENTS

	Fixed Establishments	Provisional and Temporary	Total
TREASURER	\$.	\$	\$.
Salaries	cts.	cts.	cts.
Treasurer	2910.00		
Resolved. "That this House having had the Message of His Excy. the Governor of May 4, 1865 under consideration hereby authorises His Excy. the Governor to issue his Warrant on the General Revenue for the payment of the Salaries of the present Chief Justice and Treasurer whilst awaiting An Answer from H. M.'s Government to the Resolutions of this House dated May 3rd 1865 respecting the Civil List, or until the next Session of the Legislature."			
Contingencies. Nil.			
Total Treasurer			2910.00
JUDICIAL			
Salaries			
Chief Justice	3880.00		
Messenger and Office Keeper			
Supreme Court	600.00		
Gold Commissioner and Justice of the Peace, Sooke	1700.00		
Resolution "that in lieu of a Stipendiary Magistrate for Sooke there should be a Gold Commissioner who should be a Justice of the Peace."			
Total Judicial			6180.00
Total Establishments			9,090.00

CONVEYANCE OF MAILS	
Between Victoria and Sooke Mines	700.00
Total conveyance of Mails	\$ 700.00
WORKS AND BUILDINGS	
Purchase of Buildings at Nanaimo for Court House}	1500.00
Post Office, Lock up and Police Quarters }	
Plastering &c. of Race Rock Light House	500.00
	\$ 2000.00

ESTABLISHMENTS—*Continued*

ROADS, STREETS, AND BRIDGES.	
Road through Cedar District to Nanaimo including Bridge	3150.00
Total Roads, Streets, and Bridges	3150.00
RE-IMBURSEMENTS.	
Resolution "That the Sum of \$26,550.70 Arrears, as per Communication No. 60. from H. Excy. the Governor, dated 25th April /65 remain in abeyance until the decision of H. M's Government on the subject of the Resolutions of the House of 3rd May 1865 relative to the Crown Lands and Civil List be known.	
TOTAL	14,940.00

Ordered that report be received.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 10th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Cochrane, Dennes, Duncan, Franklin, and Drs. Powell, Tolmie, Trimble, Dickson.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos, 2nded by Dr. Trimble, Resolved "That An Address be presented to His Excellency the Governor respectfully requesting that this House may be informed whether, in accordance with An Address of this House, dated June 27, 1864, any steps have been taken to preserve 'the Church Reserve' as a 'Public Square' for the use of the City of Victoria and to prevent the same from being broken up into town lots and leased for building purposes and other secular uses; and, if no steps have been taken, whether it is His Excellency's intention to do so?"

(Dissentientibus, Messrs. Tolmie, Burnaby).

On Motion by Mr. De Cosmos, 2nded by Dr. Dickson Resolved "That a Committee of Four be appointed to report forthwith to this House on the manner in which the Dredging Machine and other appliances for improving Victoria Harbour are managed; with any observations or recommendations of the Committee.

Committee ordered, as above—Messrs. De Cosmos, Trimble, Dickson, Cochrane.

Bill Read a 3rd time and passed “A Bill Entitled An Act respecting the descent of real property.”

On Question that “A Bill Entitled An Act to amend the law relating to the Representation of Vancouver Island and its Dependencies” be now Read a 3rd time Dr. Dickson moved An Amendment “That the Bill be re-committed.”

Mr. McClure moved An Amendment “That clauses 3 and 4 (only) of the Bill be recommitted.”

The latter amendment was then put as against the former.

Question—

For Mr. McClure’s Amendment

Ayes: 6.

Messrs. McClure

Dennes

Powell

Duncan

Trimble

De Cosmos

Noes: 5.

Messrs. Burnaby

Tolmie

Franklin

Dickson

Cochrane

Dr. Dickson’s Amendment (No. 1) was therefore lost.

Mr. McClure’s Amendment was then put as against the original question.

Question—

Ayes: 6.

Messrs. De Cosmos

McClure

Duncan

Powell

Dennes

Trimble

Noes: 5.

Messrs. Burnaby

Tolmie

Franklin

Dickson

Cochrane

Mr. McClure’s Amendment was therefore carried and “Bill Entitled an Act to amend the law relating to the Representation of Vancouver Island & its Dependencies” was Ordered to be recommitted on Clauses 3 & 4 only.

Bill read a 2nd time and committed “A Bill Entitled ‘An Act relating to Gold Mining’.”

Order of the Day.

In Committee of the whole House.

A Bill Entitled An Act to amend the law as to Imprisonment for debt.

A Bill Entitled An Act to amend the law of Evidence.

A Bill Entitled An Act relating to Gold Mining.

Mr. Speaker left the Chair.

Dr. Powell in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Bills begged to report respectively as follows:

In regard to the first—“To report the Bill complete without Amendment”;

In regard to the second—"That the Bill had lapsed in Committee."

In regard to the third—"Progress and that the Committee asked leave to sit again."

Ordered that the Reports be received respectively, and leave be granted to sit again.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 11th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Burnaby, Bayley, Dennes, De Cosmos, Franklin, McClure, Tolmie, Trimble, Powell.

The last minutes having been read and confirmed.

A Communication (No. 63) from His Excellency the Governor "dated Victoria 11th May, 1865" was read transmitting a Return of the Writs of "Capias ad respondendum, Capias ad satisfaciendum, and Ne exeat regno" issued out of the Supreme Court of Civil Justice, Vancouver Island fm. 1st Jany. 1861 till 1st March /65.

Mr. Franklin gave Notice of Motion (M. B. f. [blank]).⁴⁶

Mr. De Cosmos rose to a question of privilege, to correct certain mis-statements made by the reporters of the public journals in their report of a speech made by him in the House yesterday.

Order of the Day, "Committee Ways and Means."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Ways and Means" begged to report "A Bill Entitled An Act to amend the Trade's Licence Act, 1865."

Ordered that Report be received.

Read a 1st time and ordered to be printed "A Bill Entitled An Act to amend the Trade's License Act, 1865."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

⁴⁶ Motion Book, p. 100: "I give Notice that I shall move on Monday next that the 'An Act to explain and amend the Victoria Incorporation Act' be taken up and read a first time."

Friday, the 12th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Dennes, Dickson, McClure, Cochrane, Tolmie, Franklin, Carswell.

The last minutes having been read and confirmed.

A Communication was read from His Excellency the Governor, as follows:

No. 64.

Vancouver Island
Victoria, 12th May, 1865

To the Honble. The Speaker and Members of the Legislative Assembly.
Gentlemen

I have the honor to acknowledge the receipt of a Resolution of the House of Assembly dated the 10th Inst. requesting to be informed whether any steps have been taken to preserve the piece of land, known as the Church Reserve as a Public Square for the use of the City of Victoria. In reply thereto, I have to state, that no such steps have been or could be taken, in as much as in pursuance of instructions received by my predecessor from Her Majesty's Secretary of State for the Colonies, A Deed was prepared and executed on the 16th May, 1864 conveying the piece of land referred to, to the Governor of the Colony, the Archbishop of Canterbury, and the Bishop of the Diocese for the time being for the benefit of the Rector of Christ Church and of the Church of England in the Colony.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy,
Governor

Mr. De Cosmos gave Notice of Motion for Monday next.

That the Governor's Message respecting the Church Reserve be taken into consideration in Committee of the whole House on Wednesday next.

Read a 2nd time and committed "A Bill to amend An Act passed in the Year of Our Lord One Thousand Eight Hundred and Sixty two, entitled 'An Act to repeal and amend the Laws affecting Trade's Licenses'."

Ordered that above Bill be printed.

Order of the Day.

House in Committee "Ways and Means."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Ways and Means" had therein adopted the following Resolutions.

Resolved that one per cent shall be levied upon the amount of the Annual Salary of all persons who have been six months in constant employment in Vancouver Island;

That employment for five months out of six shall be considered constant employment;

That Masters and Employers shall make a return every three months of all persons in their employ (exclusive of those receiving less than £150 per annum) and the amount of the Salary of each person but that such returns shall not be made public.

Ordered that report be adopted.

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Tuesday, the 16th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, Dickson, Bayley, Franklin, De Cosmos, McClure, Powell, Tolmie.

The last minutes having been read and confirmed.

The Resolutions reported from Committee of "Ways and Means" on Friday last were Read and confirmed.

Dissentiente Mr. De Cosmos.

Mr. De Cosmos gave Notice of Motion for tomorrow (M. B. f. [blank]).⁴⁷

Mr. Dickson gave Notice of Motion for tomorrow (M. B. f. [blank]).⁴⁸

Mr. De Cosmos presented A Petition from John McC. Otley [McG. Otty] dated May 16th 1865 with Communication dated "Lands & Works" 15th April, 1865 to Mr. Otley, as follows.

Sir, I have the honor to inform you that I am directed by His Excellency the Governor to notify you that as no provision has been made for the payment of your Salary by the House of Assembly, His Excellency has no Fund from which that Salary can be paid beyond the 31st Decr. 1864. I have also the greatest pleasure in testifying to your ability and zeal during your connection with this Department since the 13th March, 1863.

I have the honor to be, Sir,
Your most obedient Servant,
(Sd.) B. W. Pearse
Acting Surveyor General.

Ordered to be referred to Committee "Ways and Means."

Order of the Day.

House in Committee "Ways and Means."

Mr. Speaker left the Chair.

The Chairman "Ways and Means" in the Chair.

⁴⁷ Motion Book, p. 100: "On Wednesday next I will move That an address be respectfully presented to His Excellency the Governor, recommending the Appointment of two magistrates, without Salaries from among the Settlers in each of the respective Districts of Comox, and Cowichan."

⁴⁸ Motion Book, p. 101: "Tomorrow I will move that a return be made of all fees received for marriage Licences from 1860 to 1865 and what disposition is made of the same."

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" begged to report "A Bill to amend An Act passed in the Year of our Lord 1862, entitled 'An Act to repeal and amend the Laws affecting Trade's Licenses'," Complete with Amendments. Also that the Committee of "Ways and Means" having had the Petition of Mr. Mc Otley—late Land Recorder at Cowichan, Referred to it by the House this day, under consideration had therein Resolved That the Petition be referred to His Excellency the Governor with the opinion of this Committee that if any arrears be due to the Petitioner, the same should be paid.

Ordered that the Reports be agreed to respectively.

Mr. Dennes gave Notice of Motion "Ways & Means."⁴⁹

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 17th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Burnaby, Dennes, De Cosmos, McClure, Franklin, Dickson, Tolmie.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos, seconded by Dr. Dickson, Ordered that His Excellency's Communication (No. 64) be taken into consideration in Committee of the whole House on Monday next (22nd Inst.).

A *Communication* from H. Excy. the Governor (No. 65) [16 May 1865] was read.

On motion by Dr. Dickson, seconded by Mr. De Cosmos, Ordered "That an address be presented to His Excellency the Governor for Returns of all fees received for Marriage Licenses from 1860 to 1865 and what disposition has been made of the same."

On motion by Mr. De Cosmos, seconded by Dr. Dickson, Ordered "That An Address be respectfully presented to His Excellency the Governor recommending the Appointment of two Magistrates, without Salaries, from among the settlers in each of the respective Districts of Comox and Cowichan."

The House then took under consideration and confirmed The Resolution reported from Committee "Ways & Means" (16th inst.) on the subject of the Petition of Mr. Mc Otley, late Land Recorder at Cowichan.

⁴⁹ *Colonist*, 17 May 1865: "Mr. Dennes gave notice of motion for a tax of \$10 per head on all Chinamen coming into the country."

Bills read a 3rd time and passed "A Bill Entitled An Act to amend the law as to Imprisonment for Debt."

On motion by Mr. De Cosmos "A Bill To amend An Act passed in the Year of our Lord 1862, entitled 'An Act to repeal and Amend the Laws affecting Trade's Licenses' " was re-committed.

Order of the Day.

In Committee of the whole House, "A Bill Relating to Gold Mining."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill, begged to report the same complete with Amendments.

Ordered that report be received.

On motion by Mr. Franklin, seconded by Mr. McClure, "A Bill Entitled An Act to explain and amend the Victoria Incorporation Act, 1862" was Read a first time.

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]).⁵⁰

Dr. Dickson gave Notice of Motion for tomorrow (M. B. f. [blank]).⁵¹

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 18th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

⁵⁰ Motion Book, p. 102: "On Monday next, I will move That a respectful address be presented to His Excellency the Governor praying him to revoke the suspension of Pre-Emption Proclamations so far as the suspension may affect agricultural lands; and to order that all persons desirous of pre-empting Agricultural lands may do so on application at the office of the Commissioner of Crown Lands on payment of the established fees and in conformity with the regulation of such Pre-Emption Proclamation or any amendment that may be made thereto.

"Also, That His Excellency the Governor be respectfully requested to take such steps as to him may be deemed advisable to throw open the Indian Reserve in Cowichan to settlement, either by the Sale or leasing of such reserve or any portion thereof to *bona fide* settlers. And also That a similar regulation be made & applied to other Indian reserves respecting which it may appear advisable in order to promote settlement and the development of agriculture."

⁵¹ Motion Book, p. 101: "Tomorrow I will move that the House shall meet on Friday at 12 o'clock to take into consideration the report of the committee on the improvement of the agricultural interests of Vancouver Island."

Read a 3rd time and passed "A Bill Entitled 'An Act relating to Gold Mining'."

Order of the Day.

House in Committee—"Ways and Means."

Mr. Speaker left the Chair.

In the absence of the Chairman "Ways and Means." Dr. Dickson was elected by the Committee to be Chairman pro. tem.

Mr. Speaker resumed Chair.

The Chairman reported that the Committee having had under consideration "A Bill To amend An Act passed in the Year of Our Lord One thousand Eight Hundred and Sixty two, entitled An Act to repeal & amend the laws relating to Trade's Licenses" recommitted by the House yesterday, begged to report the same complete with amendments.

Also That the Committee having had under consideration the subject of "Ways and Means" begged to report A Resolution "That one half of one per cent be charged upon the assessed value of the Real Estate of the City of Victoria for the current year in order to defray the indebtedness of the City and for other purposes."

Ordered That the reports be received respectively.

Mr. De Cosmos gave Notice of Motion.⁵²

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 19th day of May, 1865

Present: Mr. Speaker and Messrs. De Cosmos, Dennes, McClure.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker

Monday, the 22nd day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Burnaby, Cochrane, Dennes, Duncan, Carswell, McClure, Franklin, De Cosmos, and Drs. Dickson, Powell, Tolmie.

The last minutes having been read and confirmed.

⁵² According to the Motion Book, the *Colonist*, 19 May 1865, and *Chronicle*, 19 May 1865, De Cosmos gave no notice of motion during the 18 May 1865 House sitting. According to the newspaper accounts, De Cosmos left the House early.

A Communication dated 18th May 1865 from The Honble. The Legislative Council was read, transmitting certain Amendments by the Honble. The Legislative Council to "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery."

Amendments read a first time and Ordered to be printed.

Mr. Burnaby gave Notice of Motion (M. B. f. [blank]).⁵³

The House then took under consideration and agreed to A Resolution reported from Committee, "Ways and Means" on the 18th Inst. (as follows).

That one half of one per cent be charged upon the assessed value of the real Estate of the City of Victoria for the current year in order to defray the indebtedness of the City and for other purposes. (Dissentiente Mr. De Cosmos).

Bill read a 3rd time and passed "A Bill To amend An Act passed in the Year of our Lord, 1862, entitled 'An Act to repeal and amend the Laws affecting Trades' Licences.'"

Ordered that Bills be brought in to carry into effect the Resolutions of this House as to "A Tax upon Incomes above £150 per annum;" and as to "A Tax of ½ of 1 per cent on assessed value of real Estate in the City of Victoria" &c.

On motion by Mr. De Cosmos, seconded by Mr. Carswell, Resolved

That a respectful Address be presented to His Excellency the Governor praying him to revoke the Suspension of Pre-emption Proclamations so far as the Suspension may affect Agricultural Lands and to order that all persons desirous of pre-empting Agricultural Lands may do so on application at the office of the Commissioner of Crown Lands on payment of the established fees and in conformity with the Regulations of such Pre-emption Proclamations or any Amendments that may be made thereto;

Also, That His Excellency the Governor be respectfully requested to take such steps as by him may be deemed advisable to throw open the Indian Reserves in Cowichan to settlement either by the sale or leasing of such Reserves or any portion thereof to bonâ fide Settlers.

Also, That a similar regulation be made and applied to other Indian Reserves respecting which it may appear advisable, in order to promote Settlement and the development of Agriculture.

Mr. Duncan gave Notice of Motion, (M. B. f. [blank]).⁵⁴

Mr. Cochrane gave Notice of Motion (M. B. f. [blank]).⁵⁵

On question "that 'A Bill Entitled An Act to explain and amend the Victoria Incorporation Act, 1862' be now read a 2nd time."

⁵³ Motion Book, p. 103: "A Bill to facilitate and explain the remedies of Creditor against the Lands of their Debtors to be entitled the Execution against Lands Act, 1865."

⁵⁴ Motion Book, p. 103: "On Thursday 1st I shall move that a respectful address be presented to His Excellency the Governor recommending that those bona fide settlers whose lands are liable to be forfeited on the 31st of May shall have an extension of time by paying interest as usual for the accommodation."

⁵⁵ Motion Book, p. 103: "Tomorrow I will ask leave to introduce a bill to licence Pedlars and Hawkers."

The House divided.

Question.

Ayes: 6.

Messrs. Burnaby
McClure
De Cosmos
Franklin
Tolmie
Powell

Noes: 5.

Messrs. Dickson
Cochrane
Carswell
Duncan
Dennes

The above Bill was then read a 2nd time and committed; and Ordered to be printed.

Mr. Duncan gave Notice of Motion (M. B. f. [blank]) for Thursday next.⁵⁶

The House then took under consideration in Committee A Communication (No. 64) from H. Excy. The Governor, upon the subject of the "Preservation of the Piece of Land, known as the Church Reserve, as a Public Square."

Mr. Speaker left the Chair.

Dr. Powell in Chair of Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Subject, had therein adopted the following Resolution.

That the House present to H. Excy. the Governor A respectful Address requesting him to instruct the Honble. the Attorney General to take legal proceedings to prevent the Church Reserve from being broken up into Blocks or leased out into lots, in order to test the right of any party or parties to break the same up into Blocks or lease it out for the benefit of Christs Church or the Incumbent thereof, and for other purposes.

Ordered that Report be received.

The House also took under consideration in Committee certain Amendments by the Honble. The L. Council to "A Bill Entitled the Vancouver Island Mercantile Law Amendment Act, 1865."

(Dr. Powell in the Chair).

The Chairman reported that the Committee having had under consideration the foregoing Amendments begged to report as follows.

Section 2, line 3. After the words "acquired by" alter the word "the" to "any".
Carried.

Section 3, line 2. Strike out the words "in Vancouver Island and its dependencies," and in the third line for "Vancouver Island and its dependencies" substitute the words "the said Colony".

Carried.

Section 8, line 5, Strike out the words commencing "and all actions" and ending with the words "under seal".

Carried.

After words "Commenced and," and before words "within six" alter word "tried" to "sued."

⁵⁶ Motion Book, p. 103: "I will ask leave on Thursday 1st to bring in a bill entitled the Quarantine Act."

Not agreed to—the word “sued”—the word “tried” to stand in Bill.

Between words “such actions” and “and no claim” for word “arose” substitute words “or suits or when such cause has already arisen then within six years after the passing of this Act”.

L.C. Amendment—not agreed to.

Section 9. To be struck out.

Not agreed to.

Section 10. To be struck out.

Not agreed to.

Section 12, line 6. Strike out the words “or by the Act of the 53rd year of the reign of King George the third chapter one hundred and twenty seven section five” and “or by the Act of the 16th and 17th years of the reign of her present Majesty, chapter 113 section 20”.

Agreed to.

For Section 11, substitute “In case any action or suit shall be commenced in this Colony in respect of a cause of action or suit arising in any place out of this Colony such suit or action shall be subject to the law of the limitation of action in the place in which the said cause of action or suit arose and no such action or suit shall prevail unless the same could in the matter of the time within which such action or suit shall be brought be capable of being so brought in the place in which the said cause of action or suit so as aforesaid arose.”

Not agreed to.

Section 14, line 2. For “sections one and eight” read “section one” and strike out “and the 16th and 17th years of the reign of Her present Majesty chapter 113 sections 24 and 27.”

Agreed to.

Section 15, line 4. Strike out the words “and of the Act of the 16th and 17th years of the reign of Her present Majesty chapter 113 section 20.”

Agreed to.

Section 16. To be struck out.

Agreed to.

Section 17. To be struck out.

Agreed to.

Section 18. For “Shall” read “may.”

Agreed to.

Schedule. To be struck out.

Agreed to.

The Chairman also reported that the Committee having had under consideration “A Bill Entitled An Act to amend the Law relating to the Representation of Vancouver Island and its Dependencies” begged to report the same complete, Clause 3, recommitted by the House on the 10th Inst. having been struck out.

Ordered that reports be received respectively.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 23rd day of May, 1865

The House met this day at 3.15 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dennes, Dickson, Franklin, McClure, Tolmie.

The last minutes having been read and confirmed.

Order of the Day.

On question "that certain Resolutions reported from Committee of the whole House on the 22nd Inst. in re 'The Communication of His Excy. The Governor (No. 64) on the subject of the Preservation of the piece of Land known as the Church Reserve, as a Public Square' do now pass."

The House divided.

Question.

Ayes: 5.

Noes: 2.

Messrs. De Cosmos

Messrs. Franklin

Dennes

Tolmie

McClure

Carswell

Dickson

The Resolutions were therefore confirmed.

The House then went into Committee "Ways and Means."

Mr. Speaker left the Chair.

Mr. Chairman "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of "Ways and Means," begged to report "A Bill To amend the Victoria Harbour Dues Act, 1862." Also "A Bill To impose Landing-Permit-dues on the importation of certain Stock and Carcases."

Ordered that Report be agreed to.

,, Bills be read a 1st time and printed.

House in Comtee. of the whole upon "A Bill Entitled An Act to make better provision for the custody of the Estates of deceased Persons."

Mr. Speaker left the Chair.

Mr. Franklin in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.⁵⁷

J. S. Helmcken
Speaker.

⁵⁷ According to the *Colonist*, 24 May 1865, the House adjourned till Thursday, Wednesday being the Queen's Birthday. The House did not meet on Thursday, presumably because of the arrival of the mail steamer.

Friday, the 26th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Duncan, McClure, Tolmie, Cochrane.

The last minutes having been read and confirmed.

Mr. De Cosmos, in the absence of Mr. Cochrane, asked leave that Mr. Cochrane be permitted, at his own request, to withdraw his name from the Select Committee appointed by the House to report upon the management of the "Victoria Harbour Dredging Machine."

Ordered "That leave be granted" and that Messrs. De Cosmos, Dickson, Trimble, be constituted a Select Committee in re the above.

Bill read a 2nd time and Committed.

A Bill To amend the Victoria Harbour Dues Act, 1862.

House in Committee "Ways and Means" upon "A Bill To amend the Victoria Harbour Dues Act, 1862."

Mr. Speaker left the Chair.

Mr. Dennes, elected pro. tem. in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee "Ways and Means" having had under consideration the above mentioned Bill begged to report the same complete.

Ordered that report be agreed to.

In Committee of the whole House "A Bill Entitled An Act to make better provision for the custody of the Estates of deceased persons."

Also "A Bill Entitled An Act to establish the Postal Service."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bills begged to report, In regard to the first The Bill complete without Amendment. In regard to the second, viz. "A Bill Entitled An Act to establish the Postal Service." "That the Chair do now rise."

The House then took under consideration in Committee "A Resolution (see M. B. f. [blank]) [p. 328, n. 54 above] as to the advisability of giving to bonâ fide settlers whose lands are liable to forfeiture on the 31st May 1865 an extension of time."

Mr. Dennes in the Chair.

The Chairman reported that the Committee having had the above mentioned subject under consideration begged to report A Resolution "That a respectful Address be presented to His Excellency recommending that those bonâ fide Settlers whose lands are liable to be forfeited on the 31st May shall have an extension of time; paying interest as usual for the accommodation."

Ordered that report be adopted.

The following Communication from the Honble. The Legislative Council was then read

Council Chamber, May 26, 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor to return to your Honorable House A Bill relating to Gold Mining the Amendments thereto by Your Honble. House having been agreed to, excepting the one attached to this Bill.

I have the honor to be,
Gentlemen,
Your obedient Servant
(Sd.) E. J. Nesbitt
Clerk of the Council.

Amendment

Amend Clause 28 as amended by Your Honble. House. That the first part of the Clause be amended by the omission of the words from the commencement down to the word "and" before the words "all penalties."

The House proceeded to the consideration of the above Amendment and Ordered "That the Bill be returned to the Honble. The Legislative Council, their Amendment not having been agreed to."

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 29th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Burnaby, Cochrane, De Cosmos, Dennes, Duncan, Dickson, McClure, Powell, Tolmie.

The last minutes having been read and confirmed.

Dr. Tolmie rose to a question of Privilege to correct certain mis-statements made by the Reporters of the Public Journals, in their report of a Speech made by him on the subject of "The Church Reserve."

Mr. Dickson rose to a question of Privilege (as above) in re "The Bill to provide for the custody of the Estates of deceased persons."

Mr. Burnaby obtained leave to introduce "A Bill To facilitate and explain the Remedies of Creditors against the Lands of their Debtors."

On motion by Mr. Burnaby, 2nded by Mr. Dennes Bill (above) read 1st time and Ordered to be printed.

Order of the Day.

The House took under consideration and confirmed A Resolution reported fm. Committee of the whole House on 26th inst. on the subject of granting "An Extension of time to bonâ fide Settlers, whose Lands are liable to be forfeited on the 31st Inst."

Bills read a 3rd time and passed "A Bill Entitled An Act to make better provision for the custody of the Estates of deceased persons."

Also, "A Bill To amend the Harbor Dues Act, 1862."

Read a 2nd time and committed.

A Bill To impose landing permit dues on the importation of certain Stock and Carcases.

Mr. Burnaby gave Notice of Motion (M. B. f. [blank]).⁵⁸

In Committee of the whole House.

The Report of the Committee "Ordered by the House to report upon the best means of promoting the Agricultural Interests of the Colony."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported Progress and asked leave to sit again.

Ordered That report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 30th day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Cochrane, Dennes, Dickson, De Cosmos, Duncan, McClure, Powell.

The last minutes having been produced and confirmed.

The following Communications were read from His Excellency The Governor.

No. 68.

Vancouver Island
Victoria, 30th May, 1865

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

I have the honor to acknowledge the receipt of An Address recommending that those bonâ fide Settlers whose lands are liable to be forfeited on the 31st May shall have an extension of time; paying interest as usual for the accommodation. In reference thereto I submit the following facts for the information of the Legislative Assembly. The total amount due under this head, exclusive of interest is \$11,773.

This amount is overdue and outstanding since 1862 & 1863. Payment was demanded on the 7th Octr. 1864 and the period again extended generally for Six months.

The demands for time on the part of bonâ fide Settlers have always received special consideration.

⁵⁸ Motion Book, p. 104: "I give notice that at the next meeting I will ask leave to introduce a Bill entitled An Act to confirm certain Titles to real Property in Vancouver Island & its Dependencies."

I do not understand that the Legislative Assembly recommend the indefinite postponement of these very reasonable payments which have been so long deferred.

The State of the Public Revenue and my duty to the Crown alike render their enforcement necessary. I Enclose A Schedule showing the amount due with the names of purchasers or owners of the Lands together with a notice issued on 31st January, 1865.⁵⁹

I have the honor to be,
Gentlemen
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

Also "No. 67" dated "Victoria 30th May 1865" in reply to an Address transmitted from this House (23rd) in re "The Preservation of the Piece of Land known as the Church Reserve as a Public Square"—stating that "as legal grounds do not exist for impeaching the right of the Trustees to the said land, it would be improper for the Government to direct the Attorney General to litigate the question."

Also "No. 66" dated Victoria 30th May, 1865 in reply to An Address transmitted from this House (17th inst.) recommending the Appointment of two Magistrates without Salaries to the respective districts of Cowichan and Comox that "His Excellency could not ascertain that there are any persons in those districts who are at the same time competent and willing to assume the responsibility and labor of such office."

Ordered to be referred to Committee of the whole House.

A Communication was read fm. the Honble. the L. Council transmitting "A Bill To amend the manner of taking the Verdict of a Jury in civil cases" with an amendment by the Honble. L. Council.

Amendment Read a first time.

Also a Communication from the Honble. the L. Council, with Amendmts. to "A Bill To grant Jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases."

Ordered that the said (last) amendments be printed.

Also a Comtn. from the Honble. the L. Council, inviting a Conference with the Legislative Assembly upon "A Bill Relating to Gold Mining."

Conference agreed to.

Ordered 1st June, 2 p.m.

Also A Comtn. from the Honble. The L. Council (29th May) stating that the Honble. The L. Council adheres to all its Amendments to "A Bill Entitled the Vancouver Island Mercantile Law Amendment Act 1865."

Mr. De Cosmos gave Notice of Motion for a conference.

Order of the Day.

In Committee "Ways and Means" "A Bill To impose landing permit dues on the importation of certain Stock and carcasses."

Mr. Speaker left the Chair.

Dr. Powell (elected pro. tem.) in the Chair.

Mr. Speaker resumed the Chair.

⁵⁹ The enclosure is from the *Government Gazette*, Volume II (No. 20), 3.

The Chairman report[ed] the above Bill complete.

Ordered that report be agreed to.

Bill read a 3rd time & passed.

On question that "A Bill To amend the Law relating to the Representation of Vancouver Island and its Dependencies" be now Read a third time.

The House divided.

Question.

Ayes: 5.

Messrs. McClure

Powell

Duncan

Dennes

De Cosmos

Noes: 3.

Messrs. Bayley

Cochrane

Dickson

The Bill was then read a 3rd time and passed.

On question that the following Amendmts. by the Honble. L. Council to the "Medical Bill" be read a 2nd time The House rejected unanimously the said Amendments and Ordered that a Comtn. be sent to the Honble. The L. Council, requesting A Conference on the subject of the said Bill.

AMENDMENTS TO "A BILL RESPECTING THE MEDICAL BOARD AND
PRACTITIONERS IN MEDICINE AND SURGERY."

That in the Title of the Act the words "The Medical Board and" be struck out.

That the general enacting part of the Act be according to the usual form.

"Be it therefore enacted by the Governor of the Colony of Vancouver Island and its dependencies by and with the advice and consent of the Legislative Council and Assembly thereof as follows":

That in lieu of the first eighteen clauses the following clauses be inserted.

I. It shall be lawful for the Governor for the time being of the said Colony from time to time to appoint a Registrar of Medical Practitioners within the said Colony.

II. It shall be lawful for the said Governor as occasion shall require to direct the mode and manner in which the Medical Register hereinafter mentioned shall be kept by the said Registrar in such particulars as are not provided for by this Act.

III. It shall be the duty of the said Registrar to keep the said Register correctly and to erase the names of all registered persons who shall have died and shall from time to time make the necessary alterations in the addresses or qualifications of the persons registered under this Act; and to enable the said Registrar duly to fulfil the duties imposed upon him it shall be lawful for the said Registrar to write a letter to any registered person addressed to him according to his address on the Register, to enquire whether he has ceased to practice, or has changed his residence, and if no answer shall be returned to such letter within the period of three months from the recording of the letter, it shall be lawful to erase the name of such person from the Register; provided also that the same may be restored by direction of the said Governor should he think fit to make an order to that effect or by fresh registration.

IV. Upon the application of any person being a Doctor, Fellow, Licentiate Bachelor, Master or Member of any School, College, Society or Faculty of Surgery or Medicine, or being possessed of any qualification to practice Medicine or Surgery from any School, College, Society or Faculty of Medicine or Surgery, either in the United Kingdom, or in any British Possession or Foreign Country; such person shall on payment of a fee of ten dollars be entitled to be registered by the Medical Registrar on producing to such Registrar the document conferring or evidencing the qualification or each of the qualifications in respect whereof he may desire to be registered and producing an affidavit made before the Chief Justice of the Supreme Court to the effect that he is the person named in such document of qualification; and such register may be amended in respect of any qualification subsequently acquired by any registered person on production and proof of such fresh qualification, and on payment of an additional fee of ten dollars for the same.

V. The said Register shall be open for inspection by the Public free of charge, and also as from time to time altered, corrected and revised by the said Registrar shall be published in the Government Gazette of the said Colony at least once in every year.

That section nineteen be numbered section six and be amended by inserting after the words "no person" in the commencement of the section the words "except as hereinafter excepted" and that after the words "provided always that nothing in this" and in lieu of the residue of the section be inserted the words "act contained shall be held to apply to Dentist, or to the practice of a Dentist."

That after section six be inserted the following section:

VII. Nothing in this Act contained shall be held to apply to any Medical officer in Her Majesty's service on full pay, and on active service.

That section 20 be numbered 8.

After this section insert the following section:

IX. Any Registrar who shall wilfully make or cause to be made any falsification in the said Register, shall be deemed guilty of a misdemeanor, and shall on conviction thereof be imprisoned for any term not exceeding twelve calendar months.

X. If any person shall wilfully procure or attempt to procure himself to be registered under this Act by making or producing, or cause to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, every such person so offending, and every person aiding and assisting him therein, shall be deemed guilty of a misdemeanor, punishable by fine or imprisonment, and shall on conviction thereof be liable to imprisonment for any term not exceeding twelve calendar months.

XI. Every fine or penalty imposed under the provisions of this Act may be recovered with costs by way of summary conviction, and in default of payment by distress and sale of the goods and chattels of the offender, and in case of the insufficiency of such distress by imprisonment of the offender for any term not exceeding three calendar months, but no proceedings for the recovery of any such fine or penalty shall be commenced after the period of six months from time of the accruing of such fine or penalty.

XII. All fines, penalties, and fees imposed under the provisions of this Act shall be payable to Her Majesty the Queen, Her Heirs and Successors for the public uses of the said Colony, and in support of the Government thereof.

Strike out sections 22, 23 and 24.

Section 25 to be numbered section 13.

In Comtee. of the whole House "A Bill Entitled An Act to repeal a portion of the First Telegraph Act, 1864."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported above Bill complete without Amendment.

Also Certain Resolutions recommitted by the House on the 3rd April 1865 on the subject of the "Condition of The Pilot Service of the Port of Victoria."

Mr. Bayley in Chair of Comtee.

The Chairman reported that the Committee having had under consideration the above mentioned Resolutions begged to report that the Committee had Resolved

That all Vessels of 50 Tons and upwards from any Port other than the Ports of V. I. and B. Columbia shall pay Pilotage as provided by the Pilot Act, 1864.

That no clearance be granted by the Harbour Master to any Vessel subject to Pilotage except on showing a Receipt for Pilotage "inwards" and "outwards."

That such Sections or parts of Sections as are contrary to the above be repealed.

That A Bill be ordered to carry out the above provisions.

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 31st day of May, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Duncan, Bayley, Burnaby, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was read from His Excy. The Governor "No. 69, dated Victoria 31st May 1865" informing the House that he had received a Proposition for establishing a line of Mail Packets, between Panama, Vancouver Island and British Columbia in connexion with the Royal West India Mail Packet Service.

Mr. Burnaby gave Notice of Motion for tomorrow "That House fix a day to go into Committee on above subject."

On question "that certain Resolutions reported from Committee of the whole House yesterday on the subject of 'The Pilot Service of the Port of Victoria' do pass."

The House divided.

Question.

Ayes: 6.

Messrs. Dennes

De Cosmos

McClure

Trimble

Duncan

Dickson

Noes: 3.

Messrs. Bayley

Burnaby

Tolmie

The Resolutions were therefore confirmed.

Ordered that A Bill be brought in accordingly.

Bills read a 3rd time and passed.

A Bill Entitled An Act to repeal a portion of the First Telegraph Act, 1864.

A Bill Entitled An Act to impose landing permit dues on the importation of certain Stock and Carcasses.

On motion by Mr. De Cosmos, seconded by Mr. Duncan Ordered That House go into Comtee. tomorrow upon His Excellency's Communications Nos. 66, 67, 68, respectively.

Mr. De Cosmos from the Select Comtee. appointed to report upon the management of the "Victoria Harbour Dredging Machine" laid upon the table the report of the said Comtee.

Report read—and Ordered to be taken into consideration on Friday next in Committee.

The House then took under consideration and agreed to the following Amendment by the Honble. L. Council to "A Bill To amend the manner of taking the verdict of a Jury in civil cases."

In the enacting Clause Strike out the words "His Excellency" before the words "The Governor." For the words "on behalf of Her Majesty" insert the words "of the Colony of Vancouver Island and its Dependencies." Strike out the words of "Vancouver Island and its Dependencies and by authority of the same," and insert the word "thereof."

On motion by Mr. De Cosmos The House Ordered that A Communication be sent to The Honble. The Legislative Council requesting them to grant a Conference in re "A Bill Entitled An Act respecting The Medical Board and Practitioners in Medicine and Surgery."

In Comtee. of the whole House "A Bill Entitled An Act to explain and amend the Victoria Incorporaation Act."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Comtee. having had under consideration the above mentioned Bill begged to report thereupon A Resolution "That the Chair do now rise."

Ordered that report be agreed to.

In Committee of the whole House.

The Report of the Committee ordered by the House to report upon the best means of promoting "The Agricultural Interests of the Colony."

Mr. Speaker left the Chair.

Mr. Bayley in Chair of the Committee.

Mr. Speaker resumed the Chair, a Question of Order having been referred from Committee to Mr. Speaker in Chair as to whether or not upon question "that Chair do now rise" it was competent to reply to the question or to discuss the subject further.

Mr. Speaker ruled That the motion "that Chair do now rise" rendered further discussion inadmissible.

Mr. Speaker left the Chair & again resumed Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject begged to report A Resolution "That the Chair do now rise."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 1st day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Tolmie, Burnaby, McClure, Dickson, Powell, Dennes, De Cosmos, Bayley, Duncan, Cochrane.

The last minutes having been read and confirmed.

A Communication (No. 70 dated 1st June, 1865) was received from His Excy. The Governor enclosing "A Comparative Statement of the Estimated and the Actual Expenditure for the Year 1864 in detail."

Also "A Bill To grant a Supplemental Supply of Thirty Seven Thousand Six Hundred and Eight Dollars and Thirty Nine Cents for the Service of the Year One Thousand Eight Hundred and Sixty Four."

Ordered to be referred to Committee of "Ways and Means."

On motion by Mr. Burnaby, seconded by Dr. Dickson, Ordered That Communication (No. 69) from H. Excy. The Governor on the subject of Steam Communication with Panama be the order of the Day for Monday (5th inst.).

Mr. Burnaby obtained leave to bring in "A Bill Entitled An Act to confirm certain Titles to real property in Vancouver Island and its Dependencies" which Bill On motion by Mr. Burnaby, seconded by Dr. Tolmie, was Read a 1st time and Ordered to be printed.

Mr. McClure from the conference reported that the Honble. The Legislative Council and the Legislative Assembly had met in conference this day upon "A Bill Relating to Gold Mining" but that they had not been able to agree thereupon.

A Communication was read from the Honble. The Legislative Council enclosing "A Bill relating to Gold Mining"—The Honble. The Legislative Council insisting upon its Amendment that Clause 28 be amended by the omission of the words from the commencement down to the word "And" before the words "all penalties."

On motion by Mr. McClure, seconded by Mr. De Cosmos "A Bill To amend the Road Act, 1860" was read a first time and Ordered to be printed.

The House then took under consideration the Amendment by the Honble. The Legislative Council to "A Bill relating to Gold Mining"—which Amendment was not agreed to.

The House insisted upon its own Amendment, and Ordered that the Bill be returned to the Council.

Order of the Day, In Committee of the whole House.

1. His Excellency's Communications (No. 66) upon the subject "Of the Appointment of Two Magistrates without Salaries in the Districts of Cowichan and Comox."

2. No. 67 in reply to An Address from this House on the subject of the Preservation of the Piece of Land known as the Church Reserve.

3. No. 68, in reply to An Address from this House recommending "An extension of time to bonâ fide Settlers whose lands become liable to be forfeited on the 31st May."

Mr. Speaker left the Chair.

Mr. Dennes in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Subjects begged to report respectively as follows.

In regard to the first, A Resolution "That this House would respectfully inform His Excellency The Governor that it is still of opinion that it is desirable to appoint Magistrates from the Districts commonly known as Cowichan and Comox from among the most respectable Settlers in the said Districts. That this House would further state that it believes His Excellency the Governor will, on further enquiry, find a sufficient number of Settlers of integrity and ability resident in the said Districts, who are willing to discharge the duties of Justices of the Peace; and would respectfully recommend that further steps may be taken to carry out the views of this House respecting their Appointment as such."

In regard to the Second viz. "The Church Reserve" The Chairman reported "That he had not any report to make."

In regard to the third.

The Chairman reported A Resolution "That His Excellency be respectfully requested to allow to 'bonâ fide' Settlers a reasonable extension of time to pay the instalments due on the 31st May 1865."

Ordered that reports be agreed to respectively.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 2nd day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Powell, Tolmie, Trimble, McClure, Dennes, Burnaby, Dickson.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege.

Dr. Trimble gave Notice of Motion for leave to introduce "A Bill To amend the Road Act, 1860."

Mr. Dennes gave Notice of Motion (M. B. f. [blank]).⁶⁰

Order of the Day.

The House took under consideration and confirmed certain Resolutions reported from Committee of the whole House yesterday.

First "As to the appointment of two Justices of the Peace in the districts of Cowichan and Comox, without Salary." Second "As to an extension of time to bonâ fide Settlers whose land becomes liable to be forfeited on the 31st May, 1865."

A Communication⁶¹ from the Colonial Secretary's office was Read—in re "The Dredging Machine"—with enclosure from Admiral Denman transmitting a Report thereupon by the Chief Engineers of H. M. S. "Sutlej" and "Chameleon."

⁶⁰ "I give Notice that I shall on Monday next move that a respectful Address be presented to His Excellency the Governor for Copies of the Correspondence between the Superintending Engineer of the Dredger, the Acting Surveyor General and the Executive and for Copies of Reports of the Chief Engineer of H. M. S. Sutlej and the Chief Engineer of H. M. S. Chameleon to His Excellency the Governor as to the Machinery of the Dredger and for the plans and specifications for building Dredger and Punts for same and Tugs." Vancouver Island, House of Assembly, Motion Book, 1865-66, p. 1. Rather than an official record, this motion book is an informal scrapbook kept by De Cosmos for his personal use and is hereafter cited as Motion Book, 1865-66.

⁶¹ Acting Colonial Secretary Wakeford to the Clerk of the Legislative Assembly, 2 June 1865, Vancouver Island, Colonial Secretary, Correspondence outward, 20 September 1864 to 11 September 1865, PABC. The letter from Rear-Admiral Joseph Denman and accompanying report is not included in the official letterbook copy.

House in Committee "Ways and Means."

Mr. Speaker left the Chair.

Mr. Dennes pro. tem. in the Chair.

Mr. Speaker resumed Chair.

The Chairman reported progress & asked leave to sit again.

Ordered that the comparative Statement of the estimated Revenue and Expenditure for 1864, and the Supplemental Supply Bill \$37,608.39 be printed.

The House then adjourned till tomorrow.⁶²

J. S. Helmcken.
Speaker

Monday, the 5th day of June, 1865

Present: Mr. Speaker and Mr. Dennes.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker.

Tuesday, the 6th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Drs. Powell, Dickson, Tolmie, Trimble, and Messrs. McClure, De Cosmos, Dennes, Franklin, Burnaby.

The last minutes having been read and confirmed.

A Communication was read from the Honble. the L. Council appointing 2 p. m. on Wednesday the 7th Inst. as the hour at which they would meet the Legislative Assembly in Conference upon "The Medical Bill" and "The Mercantile Law Amendment Act."

A Communication (No. 71) from H. Excy. The Governor was read enclosing "A Bill to impose a Tax of one half of one per centum upon all real Estate within the City of Victoria and for other purposes relating thereto" in conformity with Resolution "Ways and Means" 22nd May.

A Comtn. (No. 72) from H. Excy. The Governor enclosing a Circular Despatch from the Rt. Honble. The Secretary of State for the Colonies (16th Jany. 1865) relative to "Prison Discipline and Penal Servitude."

⁶² According to the *Colonist*, 3 June 1865, the House adjourned to Monday.

Mr. Dennes gave Notice of Motion (M. B. f. [blank]).⁶³

” ” ” ” ” ” (” ” ” ”).⁶⁴

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]).⁶⁵

House in Committee “Ways and Means.”

Mr. Speaker left the chair.

Mr. Chairman “Ways and Means” in chair.

Mr. Speaker resumed the chair.

The chairman reported A Resolution “That the Sum of Ten dollars be charged for every Marriage license issued; to be paid into the General Revenue of the Colony.”

Ordered that Report be agreed to.

House in Comtee. “Supplemental Supply.”

Mr. Speaker left the chair.

Mr. Chairman “Ways & Means” in chair.

The Chairman reported that the Committee having had under consideration “A Bill To grant a Supplemental Supply of Thirty Seven Thousand Six Hundred and Eight Dollars and Thirty Nine Cents for the Service of the year one Thousand Eight Hundred & Sixty four” begged to report A Resolution “That the further consideration of the items ‘Supreme Court 3,279.89’ ‘Attorney General 1,203.03’ ‘Works & Buildings 13,625.32’ be postponed until an explanation shall have been furnished in detail to this House as to the way in which such sums respectively have been expended.”

The Chairman also reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The Chairman also reported that the Comtee. having had under consideration “in Ways and Means” “A Bill To impose a tax of $\frac{1}{2}$ of 1 per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto” had granted leave to withdraw the Bill in order that it might be amended.

Ordered that report be agreed to.

Dr. Trimble obtained leave to introduce “A Bill To amend An Act entitled the Road Act, 1860.”

On motion by Dr. Trimble, 2nded by Dr. Powell The above Bill was read a 1st time and Ordered to be printed.

⁶³ Motion Book, 1865–66, p. 2: “I give Notice that I shall on Wednesday next move an Address to His Excellency the Governor for Copies of all Papers Correspondence and Plans in reference to the purchase of the Dredger and Barges specifying the amount paid for same and all the incidental charges expenses and payments connected therewith.”

⁶⁴ Motion Book, 1865–66, p. 2: “I give Notice that I shall on Wednesday next move an Address to His Excellency the Governor for a return of the number of Plaints issued in the Inferior Court of Civil Justice from 1st January 1860 to 31st May 1865.”

⁶⁵ Motion Book, 1865–66, p. 1: “I will move on Thursday next That one half of the revenue proposed in a resolution of this House to be raised to pay the indebtedness of the City of Victoria be levied on those parties liable to pay Trades licenses during the current year.”

Notice of Motion, Mr. De Cosmos (M. B. f. [blank]).⁶⁶

On question That a Communication from the Honble. L. Council negating the Amendments by the Legislative Assembly, and adhering to all its own Amendments to "A Bill [granting] Jurisdiction to J.P.'s" be now Read a 2nd time Mr. Franklin moved An Amendment that the 2nd Reading be postponed till tomorrow.

Seconded by Dr. Tolmie.

Question.

For Mr. Franklin's Amendment

Against Mr. Franklin's Amendment

Ayes: 2.

Noes: 6.

Messrs. Franklin

Messrs. McClure

Tolmie

Powell

Dennes

De Cosmos

Dickson

Trimble

The Amendment was therefore lost.

On question that the above Amendment by the Honble. L. Council be Read a 1st time—The House decided unanimously That The Bill be returned to the Honble. L. Council requesting them to grant a conference thereupon—their Amendments not having been agreed to.

In Comtee. of the whole House.

A Communication from H. Excy. The Governor (No. 69) upon the subject of "Steam Communication with Panama."

Mr. Speaker left the chair.

Mr. Dennes in chair of Comtee.

Mr. Speaker resumed chair.

The Chairman reported A Resolution "That this Committee although very desirous of encouraging mail communication with Great Britain and although prepared to entertain any moderate proposal for the establishment of such communication, feel, nevertheless, compelled, in the absence of Any Answer from H. My.'s Government to the Union Resolutions passed by the House of Assembly, to postpone the consideration of the subject at the present time.

Ordered That report be agreed to.

Managers of Conference, Mercantile Law Amendment Act, Mr. De Cosmos.

„ „ „ Medical Bill, Messrs. Powell, Dickson.

House adjourned till tomorrow.

Speaker.

⁶⁶ Motion Book, 1865-66, p. 3: "I will move on Wednesday next:—

That Coroner be ordered to transmit to this House a return of the number of persons upon whose bodies inquests were held by him during the respective years of 1861, 62 63 and 64, with the accelerating causes of death.

"2 The disposition made of the money found upon their persons.

"3 The fees paid to the Coroner, and Medical Practitioners, for evidence and post mortem examinations."

Wednesday, the 7th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dennes, Duncan, Burnaby, Dickson, McClure, Powell.

The last minutes having been read and confirmed.

The following Communication was read from His Excellency The Governor.

No. 73.

Vancouver Island
Government House,
Victoria 7th June, 1865

To the Honble. The Speaker and Members of the Legislative Assembly.
Gentlemen

In reply to the Resolutions of the Legislative Assembly dated 2nd June, 1865, I have the honor to state that it will involve considerable labor and delay to furnish copies of the plans and specifications for building the Dredge and Punts for the same and the tug, and that I would therefore suggest that they should be inspected at the Land office where the Acting Surveyor General will give every information and facility.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Dr. Powell from the conference upon "A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery" reported "That the Honble. the Legislative Council would take under consideration the objections made by the House to the Amendments made by the L. C. to above Bill."

Mr. De Cosmos from the Conference upon "A Bill The Mercantile Law Amendment Act" reported "That the Honble. The Legislative Council would take under consideration the objections made by the House to the Amendments made by the L. C. to above Bill."

Order of the Day.

Resolution "Marriage License fee \$10.00" reported from Committee "Ways and Means" yesterday, confirmed.

Ordered "That A Bill be brought in in conformity with above Resolution."

Resolution "For detail of certain items of Supplemental Supply" reported from Comtee. "Supply" yesterday—confirmed.

Resolution H. Excy. Communication (No. 69) in re "Steam Communication with Panama" reported from Comtee. of the whole House yesterday, confirmed.

Bills read a 2nd time and committed.

A Bill To facilitate and explain the remedies of Creditors against the lands of their Debtors.

On question that "A Bill Intituled An Act to confirm certain Titles to real property in Vancouver Island and its Dependencies" be now Read a 2nd time—The House divided.

Question

Ayes: 4.

Messrs. Burnaby

Powell

Dickson

De Cosmos

Noes: 4.

Messrs. Duncan

Dennes

Carswell

McClure

Mr. Speaker gave his casting vote with the "Ayes."

The Bill was then read a 2nd time and committed.

On motion by Mr. Dennes, seconded by Mr. Duncan Ordered "That An Address be presented to His Excy. The Governor for a return of the Number of Plaints issued in the Inferior Court of Civil Justice from First of January 1860 till third of May, 1865."

In Comtee. of the whole House, The Report of the Comtee. in re "The Victoria Harbour Dredging Machine."

Mr. Speaker left the chair.

Mr. Dennes in chair of Comtee.

Mr. Speaker resumed the chair.

The Chairman reported A Resolution "That the Dredging Apparatus be at once suspended, and that His Excellency be respectfully requested to call for tenders for the deepening [of] Victoria Harbour at so much per Ton—the parties tendering to have the use of the Dredger and Steam Tug for that purpose."

Ordered That report be agreed to.

On motion by Mr. De Cosmos, 2nded by Mr. McClure, Ordered

That the Coroner be ordered to transmit to this House a return of the number of persons upon whose bodies inquests were held by him during the respective years 1861-'62-'63 and -'64 with the accelerating causes of death.

The disposition made of the money found upon their persons.

The fees paid to the Coroner and Medical Practitioners for evidence and post mortem examinations.

The House then adjourned till tomorrow.⁶⁷

J. S. Helmcken
Speaker.

Friday, the 9th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, Dennes, De Cosmos, Dickson, McClure, Trimble.

The last minutes having been read and confirmed.

⁶⁷ According to the *Colonist*, 9 June 1865, the House did not sit for lack of a quorum.

The following Communications were read from His Excellency the Governor.

No. 74 dated 8th June 1865—enclosing “A Bill To impose a Tax of one half of one per centum upon all real Estate within the City of Victoria and for other purposes relating thereto” altered by the Attorney General in accordance with what is understood to be the wish of the House.

No. 75—dated 8th June, 1865 in reply to a Resolution of this House of the 7th June requesting a Statement in detail of the manner in which the following sums (disbursed beyond the specific amounts voted) have been expended, viz.:

Supreme Court	\$ 3,279.89
Attorney General	1,203.03
Works & Buildings	13,625.32

Ordered to be referred to Committee of Supply.

No. 76—dated 9th June, 1865—enclosing “A Bill To amend the Victoria Pilot Act, 1864” and “A Bill To impose a Tax on Salaries and for other purposes.”

A Communication was read from the Honble. L. Council transmitting “A Bill Entitled the Stock and Carcass Act” with the following Amendment by the Honble. L. Council

In Clause 3 insert the words “The Governor of the said Colony for the time being” in lieu of the words “His Excellency.”

Also “A Bill To amend the Victoria Harbour Dues Act 1862” with Amendments by the Honble. the L. Council.

The Honble. L. Council Amendments to the before mentioned Bills were Read a first time.

Also a Communication fm. the Honble. L. Council enclosing “A Bill Entitled The Trade’s License Amendment Act, 1865” with certain Amendments by the Honble. the L. Council.

Amendments Ordered to be printed.

On question that The Resolutions reported from Committee of the whole House on the 7th Inst. in re “The Victoria Harbour Dredging Machine” be confirmed. The House divided.

Ayes: 3.

Messrs. De Cosmos
McClure
Dickson

Noes: 3.

Messrs. Trimble
Dennes
Cochrane

Mr. Speaker gave his casting vote with the Ayes.

The above mentioned Resolutions were then confirmed.

A Communication was read from the Honble. L. Council insisting upon its amendments to “A Bill Entitled An Act respecting the Medical Board and Practitioners in Medicine and Surgery.”

Insisting also upon its Amendments to “A Bill Entitled the V.Id. Mercantile Law Amendment Act.”

Notices of Motion—3, Mr. De Cosmos.⁶⁸

„ „ „ —1 Dr. Dickson—“Ways and Means.”⁶⁹

On question “that Mr. Speaker do now leave the chair” upon the Order of the Day—the House, being counted and a quorum not being found present, adjourned till Monday the 12th Inst.

J. S. Helmcken

Monday, the 12th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, Powell, Trimble, McClure, Franklin, Cochrane, Carswell, Dennes, De Cosmos.

The last minutes having been read and confirmed.

A Communication (No. 77) from His Excy. the Governor was read, as follows.

Vancouver Island
Government House
Victoria, 10th June 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen

Referring to the Resolution of the Legislative Assembly that the Sum of Ten Dollars be charged for every Marriage License issued, to be paid into the General Revenue of the Colony, I have the honor to inform you that the small amount of fees at present received from the issue of Special Licenses by the Governor of the Colony is in my opinion a part of the Crown Revenue and is now under consideration of Her Majesty's Secretary of State for the Colonies.

I have the honor to be, Sir
Your most obedient Servant,

(Sd.) A. E. Kennedy
Governor

Ordered to be referred to Committee.

Amendment by the Honble. The Legislative Council (R. f. 268 [p. 348 above]) to “A Bill Entitled the Stock and Carcass Act” was Read a 2nd time and agreed to.

⁶⁸ Motion Book, 1865–66, p. 4: “On Monday next, I will move:—

“That His Excellency the Governor be respectfully requested to communicate for the information of this House any despatches in his possession from Her Majesty's Government in reference to the resolutions of this House dated January 27, 1865 respecting A union of this Colony with British Columbia.

“Also, any despatches from Her Majesty's Government respecting an address of this House to His Excellency the Governor dated June 27, 1864 respecting Hudson Bay Company's affairs.

“Also, any despatches from Her Majesty's Government in reference to resolutions of the House dated Novr. 21, 1864 respecting the Crown lands & Civil List.”

⁶⁹ Motion Book, 1865–66, p. 3: “That all emoluments whatsoever, directly or indirectly accruing to any officer of the government paid by fixed salary, other than those which are recognized by law, shall be paid into the general revenue of the colony.”

Amendments by the Honble. Legislative Council to "A Bill Entitled The Harbour Dues Amendment Act, 1865" as follows.

In title—After word "Victoria" insert the words "and Esquimalt."

In preamble—After the word "Victoria" insert the words "and Esquimalt."

Clause 1. Insert after "Victoria" the words "and Esquimalt."

After Clause 1. Insert the following Clause.

That the "Victoria and Esquimalt Harbor Dues Act, 1862," "The Ports of Entry Act, 1863" and "this Act" shall be read together and construed as one Act for the purposes of this Act.

Clause II to be Clause III.

Read a 2nd time and agreed to.

Amendments by the Honble. The Legislative Council to "A Bill Entitled the Trade License Amendment Act, 1865" as follow

Council Chamber, June 8th, 1865.

AMENDMENTS TO A BILL ENTITLED "THE TRADE LICENSE
AMENDMENT ACT, 1865."

Clause I. Strike out the word "hereby" in line 14.

Agreed to.

And after the word "repealed" insert "as and from the 1st day of August, 1865."

Not agreed to.

After the word "substituted" in line 15 insert the word "therefor."

Agreed to.

After the words "the 5th day of" and before "every" in line 17 insert "August 1865 and of."

Not agreed to.

After "every" insert "subsequent" in line 18.

Not agreed to.

In place of the words at the end of the clause "the month" &c, to the end of the clause insert the words "August 1865."

Not agreed to.

Clause II. Clause 2 to be added to clause numbered 10 with the following words inserted at the end of clause 2 and preceeding clause 10 viz.; "Provided always" and that clause 10 be struck out of its place at the end of the Bill.

Agreed to.

Clause 11, to be numbered clause 10.

Agreed to.

Clause 5, after first line strike out "among other things."

Not agreed to.

Line 2, after words "declared that" insert "nothing in the said recited Act shall be deemed to extend to any person taking out a retail Liquor license and that," line 6, for "provision" read "provisions;" strike out "and that persons who pay" &c., to "sale of Liquors;" strike out words from "so far as relates" down to words "of the said Act."

Not agreed to.

Insert at the end of the section, "And further that all persons taking out a retail Liquor license shall be included in the provisions of the said recited Act, except as to the sale of Liquor by retail, and that the said last mentioned persons shall include in their returns the amounts received for the sale of merchandize other than and except the sale of Liquor by retail."

Not agreed to.

Insert after section 8,

XI. Every person bound to make a return under the provisions of this or the said recited Act, and failing so to do shall be liable to a penalty not exceeding the sum of \$100, to be recovered in a summary way before any Justice of the Peace.

Agreed to.

E. J. Nesbitt

Clerk of the Council

were Read a 2nd time and agreed to with exceptions as stated.

Ordered to be returned to the Honble. L. Council.

The House then took under consideration the *Communication* of the Honble L. Council, resulting from the conference held on the 7th Inst., in the matter of "A Bill Respecting the Medical Board and Practitioners in Medicine and Surgery" insisting upon its Amendments thereto.

The House rejected finally the said Amendments.

Dissentiente Mr. Franklin.

The House also took under consideration A *Communication* from the Honble. the Legislative Council, resulting from the Conference held on the 7th Inst. in the matter of "A Bill Entitled the Vancouver Island Mercantile Law Amendment Act, 1865."

The House rejected finally and unanimously the Bill as amended by the Honble. The L. Council.

Dr. Trimble, 2nded by Mr. Dennes, moved A Resolution.

That a Committee of Five be appointed to enquire into the contracts for the building of the Dredger and Punts, and whether the Plans and Specifications have been carried out, and whether a Commission was held before payment was made to the Contractors."

On question "that the above Resolution do now pass."

The House divided.

Question.

Ayes: 6.

Messrs. Trimble

Dennes

Franklin

Cochrane

Carswell

Powell

Noes: 3.

Messrs. De Cosmos

Dickson

McClure

The Resolution was therefore carried.

Ordered "That Messrs. Cochrane, Trimble, Dennes, McClure, Franklin be a Committee in re the above."

On question "that 'A Bill To amend the Road Act, 1860' be now Read a 2nd time"
—The House divided.

Question.

Ayes: 5.

Messrs. De Cosmos
McClure
Dickson
Franklin
Cochrane

Noes: 4.

Messrs. Trimble
Dennes
Carswell
Powell

The Bill was then read a 2nd time and committed.

On question that "A Bill to amend An Act entitled the Road Act 1860, &c." be now
read a 2nd time.

The House divided.

Question.

Ayes: 5.

Messrs. De Cosmos
Franklin
Trimble
Dennes
Cochrane

Noes: 3.

Messrs. McClure
Dickson
Carswell

The Bill was then read a 2nd time and committed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 13th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in Chair, Messrs. Bayley, De Cosmos, Dennes, Franklin,
McClure and Drs. Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was read from His Excellency The Governor as follows.

No. 78

Vancouver Island
Government House
Victoria, 13th June, 1865

To The Honble. The Speaker and the Members of the Legislative Assembly.
Gentlemen,

I have the honor to acknowledge the receipt of a Resolution of the Legislative
Assembly dated 12th June 1865 requesting me to communicate for the information
of the House any Despatches in my possession on the subjects of "An Union of this
Colony with British Columbia", the Hudson's Bay Company's affairs, and the Crown

Lands and Civil List, and to state in reply that I have not any information on these subjects beyond that of which the Legislative Assembly is already in possession.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy,
Governor.

The House then went into Committee of Supply.

Mr. Speaker left the chair.

The Chairman of the "Ways and Means" in the chair.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to Report "A Bill To apply the Sum of Fourteen thousand nine hundred and forty dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year One thousand eight hundred and Sixty five."

Also that the Committee having had under consideration a Comparative Statement of the Estimated and Actual Expenditure and Overdraft (H. Excy.s Communication No. 70) for 1864 had voted a Supplemental Supply of Thirty seven thousand Six hundred and Eight dollars and thirty nine cents for the service of the year one thousand eight hundred and sixty four, as follows,

Schedule	
For Establishments	
His Excellency the Governor	\$1605.86
Legislative Council	24.78
Legislative Assembly	276.37
Colonial Secretary	1059.40
Treasurer	2178.68
Surveyor General	3088.95
Judicial Establishments	
Supreme Court	3279.89
Attorney General	1203.03
Stipendiary Magistrate, Sooke	749.34
	<hr/>
	13466.30
For Services exclusive of Establishments	
Revenue Service	33.63
Rent	1036.64
Transport	136.50
Works and Buildings	13625.32
Interest	4990.83
Sinking fund	4064.68
Drawbacks and refunds	254.49
	<hr/>
	24142.09
	<hr/>
	\$37608.39

Ordered that reports be agreed to respectively.

Above Bill read 1a.⁷⁰

⁷⁰ I.e., the first time. The abbreviation 1a is from the Latin phrase *billa lecta est prima*, a form surviving from the time when at least part of the Journals of the House of Commons were entered in Latin. Hereafter the adverbial forms, *primo*, *secundo*, *tertio* are abbreviated by the clerk as 1^o 2^o, 3^o and translate literally as firstly, secondly, and thirdly.

The Chairman also reported from Committee "Ways and Means" "A Bill To impose a Tax of one half of one per centum on all real estate within the City of Victoria and for other purposes relating thereto" and "A Bill To impose a Tax on Salaries and for other purposes" and "A Bill To amend the Victoria Pilot Act, 1860."

Ordered that reports be agreed to respectively.

In Committee of the whole House "A Bill To facilitate and explain the remedies of Creditors against the Lands of their debtors."

Mr. Franklin in the chair.

The Chairman reported progress and asked leave to sit again.

Ordered That report be received and leave granted.

Bills read first time.

A Bill To apply the Sum of Fourteen thousand Nine hundred and forty dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the service of the year One thousand Eight hundred and sixty five.

A Bill To impose a Tax on Salaries and for other purposes.

Ordered to be printed.

A Bill To amend the Victoria Pilot Act, 1860.

A Bill To impose a Tax of One half of one per centum upon all Real Estate within the City of Victoria and for other purposes relating thereto.

Ordered to be printed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 14th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Trimble, Tolmie, Dickson, Dennes, Bayley, De Cosmos, Franklin.

The last Minutes having been read and confirmed.

A Communication was read fm. the Honble. The Legislative Council appointing 2 p. m. on Friday (16th Inst.) for the Conference in re "A Bill Entitled An Act to grant Jurisdiction to J.P.'s and Stipendiary Magistrates in Civil Cases."

Also a Communication from the Honble. The L. Council stating that the Honble. L. Council had agreed to waive their amendments to "A Bill entitled The Trades License Amendment Act, 1865", which Amendments had not been agreed to by the L. Assembly.

Bills read 2a.

A Bill To apply the Sum of Fourteen thousand nine hundred and forty dollars out the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the year one thousand eight hundred and sixty five.

A Bill Entitled An Act to apply the sum of Thirty seven thousand Six hundred and eight dollars and thirty nine cents for the Service of the year one thousand eight hundred and sixty four.

A Bill To impose a Tax of one half of one per centum on all real estate within the City of Victoria and for other purposes relating thereto.

A Bill To impose a Tax on Salaries and for other purposes.

A Bill To amend the Victoria Pilot Act, 1860.

In Committee of Supply.

A Bill To apply the Sum of Fourteen thousand nine hundred and forty dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the year one thousand eight hundred and Sixty five.

Also "A Bill Entitled An Act to apply the sum of Thirty seven thousand Six hundred and eight dollars and thirty nine cents for the service of the year one thousand Eight hundred and sixty four."

Mr. Speaker left the chair.

Mr. Chairman "Ways and Means" in chair.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the above Bills begged to report the same complete respectively without Amendment.

Ordered that reports be agreed to respectively.

The House then went into Committee of the whole.

(Mr. Franklin in the chair) upon "A Bill to amend the Road Act, 1860."

Also upon "A Bill To amend An Act entitled the Road Act, 1860 & to provide otherwise for the repairs and improvements of the Roads of Vancouver Island and its Dependencies."

The Chairman reported—in regard to the First "That he had not any report to make."

In regard to the second That leave had been granted to withdraw the Bill in Committee in order that it might be amended.

Ordered that report be agreed to.

Mr. Dennes gave Notice of Motion (M. B. f. [blank]).⁷¹

Dr. Powell gave Notice of Motion (M. B. f. [blank]).⁷²

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

⁷¹ Motion Book, 1865–66, p. 4: "I give Notice that I shall on Thursday next move that the Clerk of this House make a return to the Speaker of the respective attendances of each Member of this House from 2nd Sept. 1863 to 14th June 1865."

⁷² Motion Book, 1865–66, p. 5: "I give notice that I will move to-morrow that a select Committee be appointed to bring in a Bill to amend the Road Act of 1860."

Friday, the 16th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, Dickson, Powell, Franklin, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

On motion by Mr. Dennes, seconded by Dr. Powell Ordered "That Mr. Clerk of this House make a return to the Honble. The Speaker of the respective attendances of each Member of this House from 2nd September 1863 till 14th June, 1865."

The above Returns, having been presented, were read and Ordered to lie on the Table.

Bills read 3a and passed.

A Bill To apply the sum of Fourteen thousand nine hundred and forty dollars out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the year one thousand Eight hundred and Sixty five.

And "A Bill Entitled An Act to apply the sum of Thirty seven thousand six hundred and Eight dollars and thirty nine cents for the Service of the Year one thousand Eight hundred and Sixty four."

On motion by Dr. Powell, Seconded by Mr. Franklin, Ordered "That Messrs. Tolmie, Franklin, Trimble, Powell, Cochrane—be a Select Committee to bring in 'A Bill To amend the Road Act, 1860'."

Order of the Day in Committee—"Ways and Means."

Chairman "Ways and Means" in Chair.

The Chairman reported that the Committee having had under consideration "A Bill To impose A Tax of one half of one per centum upon all Real Estate within the City of Victoria & for other purposes relating thereto," begged to report the same complete without Amendment.

Also "A Bill To amend the Victoria Pilot Act 1864," begged to report the same complete without Amendment.

Ordered that Reports be agreed to respectively.

The Chairman further reported that the Committee having had under consideration His Excellency's Communication "No. 77" (v. f. 270 [p. 349 above]) begged to report A Resolution "That A Bill be brought in authorising the issuing of Marriage Licenses, the fees for which shall be paid into the General Revenue of the Colony."

Ordered that report be agreed to.

Mr. Franklin from the conference reported "that the Honble. The Legislative Council explained that they had adopted their Amended 'Bill to grant jurisdiction to Justices of the Peace and Stipendiary Magistrates in Civil cases' in lieu of the Bill sent up by the Legislative Assembly in as much as the latter enacted Rules, Regulations and Forms of Court contrary to the custom in

the Superior Courts—the rules of which were subject to alteration from time to time as circumstances might require.”

In regard to the Appointment of Justices of the Peace the Council would not object to the insertion of the words “Justice of the Peace” in addition to the words “Stipendiary Magistrate”—if such amendment were acceptable to the House.

J. S. Helmcken
Speaker

Wednesday, the 21st day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Bayley, Cochrane, De Cosmos, Dickson, Dennes, Franklin, Powell, Tolmie, McClure, Trimble.

The last minutes having been read and confirmed.

A Communication was read from His Excy. The Governor (No. 79, dated Victoria, 17th June, 1865) transmitting a return of the number of Plaints issued in the Supreme Court of Civil Justice fm. 1st Jany. 1860, till 3rd May, 1865” (2915 [plaints]).

Also a Communication from H. Excy. the Governor, as follows,

No. 80.

Vancouver Island
Government House
Victoria, 19th June, 1865

To The Honble. The Speaker and Members of the Legislative Assembly

Gentlemen,

I have the honor to acknowledge the receipt of A Resolution of the Legislative Assembly dated 7th June, 1865, in reference to certain Returns required from the “Coroner.”

In reply I have to state that I have no means of furnishing information beyond that contained in the accompanying report of the Treasurer.⁷³

I am not in possession of any Record of the number of inquests held and there has been no report received and no payments made or demanded on Account of Coroners fees in 1865.

It is proper for me to inform the House that I am advised that there is no Coroner in this Colony having jurisdiction, and that there is no authority vested in the Government to appoint one.

I have the honor to be,
Gentlemen,
Your most obedient Servant,
(Sd.) A. E. Kennedy,
Governor

On motion by Mr. De Cosmos (who objected that H. Excy.’s Communication did not furnish the information called for by this House in the Resolution passed on the 7th inst.), 2nded by Mr. Bayley.

⁷³ See Treasurer Alexander Watson’s reply to Governor Kennedy’s memo, 13 June 1865, Colonial Correspondence, Vancouver Island Treasury Dept., PABC.

Ordered, That James Dickson Esqre. (as Coroner) be ordered to transmit to this House a return of the number of persons upon whose bodies inquests were held by him during the respective years of 1861, '62, '63 and '64, with the accelerating causes of death.

2. The disposition made of the money found upon their persons.

3. The fees paid to the Coroner & Medical Practitioners for evidence and post mortem examinations.

Bills read 3a.

"A Bill To amend the Victoria Pilot Act, 1860" and "A Bill To impose A Tax of one half of one per centum on all real Estate within the City of Victoria and for other purposes relating thereto."

Dr. Dickson rose to a question of Privilege in re a mistaken report "Chronicle Newspaper."

Notice of Motion 1. Dr. Dickson.⁷⁴

„ „ „ 2. „ „ .⁷⁵

„ „ „ Mr. Dennes.⁷⁶

The House then went into Committee "Ways and Means" upon "A Bill To impose a Tax on Salaries and for other purposes."

Mr. Speaker left the Chair.

The Chairman "Ways and Means" in chair.

Mr. Speaker resumed the chair.

The Chairman reported that the Committee having had under consideration the above Bill begged to report the same complete with Amendments.

Ordered that report be agreed to.

The House also went into Comtee. of the whole upon "A Bill Intituled An Act to confirm certain Titles to Real Property in Vancouver Island and its Dependencies" and upon "A Bill To facilitate and explain the remedies of Creditors against the lands of their debtors."

Mr. Speaker left the Chair.

Mr. Franklin in chair of Comtee.

Mr. Speaker resumed the chair.

⁷⁴ Motion Book, 1865-66, p. 5: "Tomorrow I will move that this House do fix a day to take into consideration the necessity of reducing the present Colonial expenditure for the maintenance of officers and Clerks in the public Departments, and of recommending to the Governor the amalgamation forthwith of some of the offices in order to [effect] such reduction."

⁷⁵ Motion Book, 1865-66, p. 6: "I. That the Governor be respectfully requested to inform this House what Salary is paid for the services of the Acting Colonial Secretary.

"II. What other offices are held or duties performed by that gentleman, and the amount of Salary and fees to which he is entitled in respect thereof."

⁷⁶ Motion Book, 1865-66, p. 6: "I give Notice that I shall tomorrow move that the Clerk of the House make a return to the Speaker of the divisions that have taken place (except in committee) & the names of Members voting thereon from 3 Sept. 1863 to 21 June 1865."

The Chairman reported that In regard to the first "He had not any report to make."

In regard to the second He had not any report to make.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 22nd day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair and Messrs. Franklin, Dickson, Powell, Dennes, De Cosmos, Carswell.

The last minutes having been read and confirmed.

A Communication (No. 81) ⁷⁷ was read from His Excy. The Governor acknowledging receipt of a Resolution of this House dated 17th June, and a Communication (No. 82) fm. H. Excy. the Governor as follows.

No. 82

Vancouver Island
Government House
Victoria, 22nd June 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I deem it my duty to inform the Legislative Assembly that constantly recurring complaints are made by Indians that their potato Gardens are destroyed by pigs which are permitted to run at large, and I am advised that the existing law is insufficient to remedy the hardship thus inflicted upon the natives, which is rendered still greater by the exclusion of Indian Evidence from our Courts of Justice by which they are debarred from the remedy of a Civil action for trespass.

It cannot be expected that this state of things can long continue without leading to heart-burnings & collisions between the Settlers & Indians in outlying districts where there are neither Magistrates nor Police. I would beg for the attention of the Legislative Assembly to this end ere it becomes more serious and for their consideration whether it would not be more equitable and practicable to compel the owners of Pigs to fence them in rather than throw the onus of fencing them out upon those to whom they do not belong, a measure at all times difficult.

I will direct the Acting Attorney General to prepare A Bill amending the existing law, on being informed of the views of the Legislative Assembly in reference thereto.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(sd.) A. E. Kennedy,
Governor.

Ordered for tomorrow—"In Committee."

Bill read 3a.

A Bill To impose a Tax on Salaries and for other purposes.

⁷⁷ Messages to House, 22 June 1865, stating that under the terms of the Royal Instructions, the power to grant marriage licences rests exclusively with the Governor.

Mr. De Cosmos gave Notice of Motion (M. B. f. [blank]) for a Committee in re H. Excy's *Communcation* upon the subject of the Coroner.

On motion by Mr. Dennes seconded by Mr. De Cosmos Ordered "That the Clerk of this House make a return to the Speaker of the Divisions which have taken place (except in Committee) & of the names of members voting therein from 3rd Septr. 1863 till 21st June, 1865."

Leave granted to Dr. Dickson to withdraw a Resolution "as to the necessity of reducing the present expenditure of this Colony for maintenance of officers, clerks &c," notice of which was given yesterday.

On motion by Dr. Dickson, 2nded by Mr. De Cosmos (Notice given 21st Inst.) Ordered "That H. Excy. the Governor be respectfully requested to inform this House, what offices in this Colony have been (or are now) held, what duties have been (or are now being) performed by the present Acting Colonial Secretary, and what sums of money have been paid severally by way of Salary allowances or fees to that officer for duties so performed."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 23rd day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dennes, De Cosmos, Dickson, Franklin, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

On motion by Mr. De Cosmos, seconded by Mr. McClure Ordered "That a Committee of three be appointed with instructions to report their observations with such further information as may be obtained concerning the message of His Excellency the Governor &c. accompanying return respecting 'The Coroner,' and that such Committee be empowered to send for persons and papers, if necessary."

"That a respectful address be presented to His Excellency the Governor praying that he may instruct the Acting Colonial Secretary, Acting Attorney General, and Treasurer to supply this Committee, if required, with any papers or documents in their possession concerning the subject of enquiry before it." (Dissentiente Mr. Franklin).

Ordered that Messrs. Bayley, Carswell, De Cosmos, be a Committee in re "the above."

Order of the Day, In Committee of the whole House, His Excellency's Communication (No. 82.) on the subject of the destruction of the Indian Potato Gardens in the outlying districts by Pigs belonging to Settlers &c.

Mr. Speaker left the chair.

Mr. Dennes in chair of the Committee.

Mr. Speaker resumed the chair.

The Chairman reported A Resolution "that this House is of opinion that the difficulties mentioned in the communication from His Excellency should be dealt with by the Executive as legislation upon the subject at the present time is neither necessary nor desirable."

Ordered "That report be agreed to."

J. S. Helmcken
Speaker.

Tuesday, the 27th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair and Messrs. Cochrane, De Cosmos, Dennes, Dickson, Franklin, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 83) was read from His Excellency the Governor.

No. 83

Vancouver Island
Government House
Victoria, 27th June, 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to state that I am informed by the Acting Attorney General that "A Bill to explain 'The Chief Justices Salary Act, 1864'" will be submitted to the Legislative Assembly this day. This Bill being deemed necessary by Her Majesty's Secretary of State for the Colonies to give full effect to the intention of the Legislature I would invite the early attention of the Legislative Assembly to the subject.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

A Communication was then read from the Honble. L. Council (dated 27th June) transmitting "A Bill To explain 'The Chief Justice's Salary Act, 1864'"

Bill read a 1st time.

Also a Communication from the Honble. The L. Council transmitting "A Bill To impose a Tax on Salaries and for other purposes" with amendments thereto by the Honble. the Legislative Council.

Honble. L. Council Amendments.

Clause 1. In line 4 between the word "all" and "persons" insert the word "Male."

Clause XII. Line 6. Strike out the words "masculine gender or" and insert at the end of the clause "but nothing in this Act contained shall be held to impose any Tax on females."

The Amendments by the Honble. L. Council were not agreed to and "The Bill was ordered to be returned to the Council."

A Communication was also read from the Honble. L. Council transmitting "A Bill Respecting the Registration of Births, Deaths and Marriages in Vancouver Island" with Amendments thereto by the Honble. The L. Council.

Question proposed "that said Amendments be now Read a first time."

Amendment proposed "to leave out the word 'now' and at end of clause to insert the words 'this day 6 months'" (Mr. De Cosmos).

Question put that the word "now" stand part of the question.

Ayes: 2.

Messrs. Powell

Franklin (2)

Noes: 4.

Messrs. De Cosmos

Dennes

Dickson

McClure (4)

Dr. Dickson laid upon the table of the House certain returns ordered by this House (21st June 1865) to be returned by him as "Coroner."

On motion by Dr. Dickson "A Bill Intituled An Act to regulate the payment and application of fees for marriage Licenses" was Read a first time.

J. S. Helmcken
Speaker

Thursday, the 29th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dennes, De Cosmos, Dickson, Franklin, McClure, Tolmie.

The last minutes having been read and confirmed.

A Communication (No. 84) was read from His Excellency the Governor as follows.

No. 84

Vancouver Island
Government House
Victoria, 29th June, 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to acknowledge the receipt of an Address from the Legislative Assembly praying that I would instruct the Acting Colonial Secretary, Acting Attorney General and Treasurer to supply a Committee of the House with any papers or documents in their possession concerning the subject of enquiry before it.

In reply I have to state that I will consider the propriety of producing any departmental papers in the custody of these officers on learning the nature and particulars of those required.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

[No. 85]

Vancouver Island
Government House
Victoria, 29th June, 1865

To The Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

Referring to the Resolution of the House dated 9th June on the subject of Harbour Improvements I have the honor to submit a report of the Acting Surveyor General for the information of the House. It will be observed therefrom that very considerable expense must be still incurred if the views of the House be carried out.

It is reported to me that the Steam Tug though well adapted for seagoing purposes is totally unfitted for the purpose for which she was intended, namely, towing the Barges about the shoal part of Victoria Harbour—her draught of water when light being 10 feet 2 inches and with a full supply of coal between 11 and 12 feet. I would recommend that this Vessel be disposed of if a fair price can be obtained.

It is to be remembered that the Engineers of the Dredger and Steam Tug are under Articles of Agreement with the Government for an unexpired period at a Salary of from £200 to £300 per annum each and it is therefore necessary that I should be in possession of the views of the Legislative Assembly as to making provision for the resumption of the Harbor Improvements by means of Dredging at a future period.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

Question put "That the consideration of the above correspondence be taken up in Committee tomorrow."

Ayes: 4.

Messrs. De Cosmos
Dennes
Dickson
McClure

Noes: 1.

Mr. Franklin

Bills read a 2nd time and committed.

A Bill Entitled An Act to explain "The Chief Justice's Salary Act, 1864."

A Bill Intituled An Act to regulate the payment and application of fees for Marriage Licences.

In Committee of the whole House—The above Bills.

Mr. Dennes in chair of the Committee.

The Chairman reported. In regard to the first, The Bill complete without Amendment.

In regard to the second The Bill complete without Amendment.

Ordered that report be agreed to.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 30th day of June, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dennes, De Cosmos, McClure, Dickson.

The last minutes having been read and confirmed.

Bills read a 3rd time and passed.

A Bill Entitled An Act to explain "The Chief Justice's Salary Act 1864."

A Bill Intituled An Act to regulate the payment and application of fees for marriage Licenses.

The Order of the Day—In Committee.

His Excellency's Communication "No. 85" on subject "Victoria Harbour Dredging Machine" having been read.

Question proposed "That Mr. Speaker do now leave the chair."

Amendment proposed "to leave out after the word 'that' to the end of the sentence in order to insert the words 'the consideration of the subject be postponed till Monday' (3rd July)."

Question put "That the words proposed to be left out stand part of the question."

Ayes: 2.

Messrs. De Cosmos
McClure

Noes: 3.

Messrs. Dennes
Dickson
Powell

The consideration of the above subject was postponed till Monday.

And the House adjourned till Monday (3rd July).

J. S. Helmcken
Speaker

Monday, the 3rd day of July, 1865

Present: Mr. Speaker and Messrs. Carswell, Dickson, McClure.

A Quorum not being present, the House was counted out.

J. S. Helmcken
Speaker.

Wednesday, the 5th day of July, 1865

Present: Mr. Speaker and Messrs. Dennes, De Cosmos, McClure.

A Quorum not being present, the House was counted out.

J. S. Helmcken
Speaker

Thursday, the 6th day of July, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dennes, Cochrane, Dickson, Franklin.

The last minutes having been read and confirmed.

Mr. De Cosmos from the Select Committee ordered by the House to examine and report upon certain matters contained in a Communication (No. 80) from His Excy. the Governor on the subject of the "Coroner"—submitted the report of the Committee.

On motion by Mr. Dennes, seconded by Mr. Cochrane, Ordered that report be printed.

Division Lists of the Legislative Assembly from 3rd Sept. 1863 till 21st June 1865, Ordered by the House on the 22nd Ult. were laid upon the table of the House.

Motion made and question put "that said Returns be printed" (Dennes).

(Minority) *Ayes*: 2.

(Majority) *Noes*: 4.

Messrs. Dennes

Messrs. Carswell

De Cosmos

Cochrane

Dickson

Franklin

The House then took under consideration certain Amendments by the Honble. The Legislative Council to "A Bill respecting Weights and Measures", as follows.

AMENDMENTS TO "A BILL RESPECTING WEIGHTS AND MEASURES."

Preamble. Omit the words "and also the stand weight of a bushel of grain, pulse or seeds."

Agreed to.

Strike out second paragraph of Preamble.

Agreed to.

Enacting clause. After the word "Governor" insert "of the colony of Vancouver Island and its dependencies," and strike out "on her Majesty's behalf." For "of the colony of Vancouver Island and its dependencies," insert "thereof."

Agreed to.

Section I. Strike out the word "That" in commencement. At the end of the clause add the words "and no goods, commodities or other articles shall be sold except by such standard of Weights or Measures or some multiple or fractional part thereof."

Agreed to.

Provided always that nothing herein contained shall prevent the sale of any goods, commodities or other articles in any vessel or bale, or by bulk when such vessel or bale or such bulk is not represented as containing any standard

Weight or Measure, or any multiple or fractional part thereof, or any local or foreign measure, or any multiple or fractional part thereof.

Not agreed to.

Clause II to be struck out and the following inserted in lieu.

Any person selling goods, commodities or other articles except by the standard Measure or Weight aforesaid, and except as hereinbefore is excepted, shall be liable to a penalty not exceeding fifty dollars.

Not agreed to.

Clause III to be struck out.

Not agreed to.

Clause IV to be clause III.

Not agreed to.

Clause V to be clause IV.

Not agreed to.

Clause VI to be clause V.

Not agreed to.

After the word "Governor" at commencement insert the words "of the said Colony for the time being." Before the word "Governor" in line 7 insert the word "said."

Agreed to.

Clause VII to be struck out.

Not agreed to.

Clause VIII In line 4 for the letters "V. R." insert "or with some other stamp or brand to be approved by the said Governor for the time being."

Agreed to.

Clause IX, in line 5 leave out the last "to."

Agreed to.

Clause X.

Not agreed to.

Clause XI.

Not agreed to.

Clause XII, in line 5 after the word "steelyards" insert the word "balances."

Agreed to.

Clause XIII.

Strike out the words commencing with "ten dollars" to the end of the clause and in lieu insert "fifty dollars."

Agreed to.

Clause XIV, in lines 1 and 4 insert after "steelyard" and "steelyards" the words "balance" and "balances."

Agreed to.

Clause XV, in lines 6 and 7 for "of not more &c., to ten dollars" read "not exceeding fifty dollars." After "every" in line 1 for "storekeeper &c.," to "uses any," in line 4 read "person who has in his possession," in lines 5 and 6 strike out "or which &c.," to "otherwise unjust."

Agreed to.

Clause XVI to be struck out.

Not agreed to.

Clause XVII to be clause XIV line 6 strike out from "and on being convicted" to the end of the clause.

Not agreed to.

Clause XVIII, in line 4 from words "nor less than ten dollars" strike out to end of clause.

Agreed to.

Clause XIX, in last line for "twenty dollars" insert "one hundred dollars."

Agreed to.

Clause XX to be struck out.

Not agreed to.

Clause XXI to be struck out.

Not agreed to.

After section 19 insert.

XX. All articles sold by Weights shall be sold by avoirdupois weight except gold, silver, platina, diamonds, or other precious stones which may be sold by troy weight. And drugs, which when sold by retail shall be sold by apothecaries weight.

Not agreed to.

XXI. After the 31st day of Dec., 1865, no weight made of lead or pewter, or of any mixture thereof shall be stamped or used. Provided always that nothing herein contained shall prevent the use of lead or pewter or of any mixture thereof in the composition of weights, if they be wholly and substantially cased with brass, copper or iron, and legibly stamped or marked "cased" or shall prevent the insertion of such a plug of lead or pewter into weights as shall be bona fide necessary for the purpose of adjusting them and of affixing thereon the stamp hereinafter mentioned.

Agreed to.

Clause XXII, in line 3 strike out "on the oath &c., to credible witnesses."

Agreed to.

In line 7 for "one month" read "three calendar months."

Not agreed to.

In line 8 strike out words commencing "except where" to end of the clause.

Agreed to.

Clause XXIII to be struck out.

Not agreed to.

Clause XXIV to be clause XVIII, strike out last two lines commencing, "Provided always."

Not agreed to.

In reply to Dr. Dickson, Mr. Speaker stated that no reply had been received from H. E. The Governor to the Address of this House (22nd June) calling for certain returns in re the late Acting Colonial Secretary.

The House then adjourned till 1 p. m. tomorrow.

J. S. Helmcken
Speaker

Friday, the 7th day of July, 1865

The House met this day at 1 p. m. pursuant to adjournment.

A Summons to attend His Excellency The Governor having been delivered, Mr. Speaker, with the Members of the House, went up to attend His Excellency The Governor in the Honble. Legislative Council Chamber.

His Excellency then addressed both Houses of the Legislature, as follows,

THE GOVERNOR'S SPEECH

Honorable Gentlemen of the Legislative Council, and Gentlemen of the Legislative Assembly.

The period has now arrived when I am able to release you from further attendance on your legislative duties.

I have in the name and on behalf of Her Majesty assented to the following Acts passed during the Session:

An Act for the Election of a Mayor and Councillors for the city of Victoria, on the 8th day of November, 1864.

An Act respecting Barristers and Attorneys at Law.

An Act to apply the sum of \$298,618.25 out of the general revenue of the colony of Vancouver Island and its dependencies to the service of the year 1865.

An Act to amend the Land Registry Act, 1860.

An Act respecting Common Schools.

An Act to repeal a portion of the First Telegraph Act, 1864.

An Act to amend the manner of taking the Verdict of a Jury in Civil Cases.

An Act to Impose Landing Permit Dues on the Importation of certain Stock and Carcases.

An Act to amend the Victoria and Esquimalt Harbour Dues Act, 1862.

An Act to amend an Act passed in the year of our Lord 1862, entitled "An Act to repeal and amend the laws affecting Trade Licenses."

An Act to grant a Supplemental Supply of \$37,608.39, for the service of the year 1864.

An Act to apply the sum of \$14,940 out the general revenue of the Colony of Vancouver Island and its dependencies, to the service of the year 1865.

An Act to impose a tax of one-half of one per centum on all real estate within the City of Victoria and for other purposes relating thereto.

An Act to explain the Chief Justice Salary Act, 1864.

I reserved A Bill to appropriate the sum of £1,200 sterling per annum from the general revenue for the colony for the salary of a Chief Justice, and the explanatory Bill since passed will, I anticipate, insure its allowance by Her Majesty.

Of these Acts I may more particularly advert to the Act to amend the manner of taking the verdict of a jury in civil cases, and that respecting Common Schools.

I anticipate substantial benefits to the community will result from these measures, and I confidently rely on the honor and character of the gentlemen composing the Board of Education for a faithful and impartial administration of their high trust in the spirit intended by the Legislature.

Gentlemen of the Legislative Assembly:

The supplies you have granted will be administered with the strictest economy consistent with the efficiency of the public service.

I have to thank you for the provision made for a residence for the Governor of this Colony, which I hope to have ready for occupation, if not completed, at a cost considerably less than the sum you have so liberally voted.

Honorable Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly:

I now in Her Majesty's name prorogue this Council and Assembly, and they are hereby prorogued accordingly to the 3rd October next.⁷⁸

J. S. Helmcken
Speaker.

⁷⁸ By successive proclamations dated 23 September, 25 October, and 11 November, Governor Kennedy further prorogued the legislature to 2 November, 16 November, and 28 November 1865.

**THIRD HOUSE OF ASSEMBLY
THIRD SESSION**

MINUTES OF THE THIRD HOUSE OF ASSEMBLY OF
VANCOUVER ISLAND—THIRD SESSION

Tuesday, the 28th day of November, 1865

The House met this day at 1 p. m. in accordance with the Proclamation of His Excellency The Governor.

Present: Mr. Speaker and Messrs. Carswell, Cochrane, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Tolmie, Trimble.

A Summons having been delivered to attend His Excellency The Governor in the Honble. Legislative Council Chamber.

Mr. Speaker and the Members of the House went up accordingly.

His Excellency then addressed both Houses of the Legislature, as follows—

THE SPEECH

Hon. Gentlemen of the Legislative Council and Gentlemen of the Legislative Assembly:

I have deferred calling you together until this late period of the year in the expectation that I should be thereby enabled to submit to you in some conclusive form matters affecting the settlement of important questions concerning the future condition and prosperity of the Colony. In that hope I regret I am compelled to inform you I have been disappointed.

2. Despatches from Her Majesty's Secretary of State for the colonies on the subject of the Crown Lands of Vancouver Island will be laid before you. I forbear to enlarge upon this subject beyond expressing an earnest hope that the wisdom and moderation of the Legislature may find a way to a final settlement of this question, the agitation of which so injuriously retards the progress and settlement of the Colony.

3. I regret that I am not in a position to make any communication to you in reply to the Resolutions adopted by the Legislature in the last session, recommending the union of this Colony with British Columbia. I have no doubt that the subject is receiving that consideration from Her Majesty's Government which its importance demands, and that due weight will be given to the wishes of the people expressed through their representatives.

4. The discredit and danger to public health arising from the unrepaired streets and want of drainage in the City of Victoria cannot longer be ignored without seriously deteriorating the value of private property, while the inhabitants are without legal power to raise revenue for the correction of the admitted evils. The Municipal Government of the City might, probably, be rendered more effectual by attempting less. Schemes of inferior importance have been prosecuted while more important needs have been neglected.

5. The importance of direct steam communication between Vancouver Island and San Francisco cannot be overrated, and the absence of it is now most seriously felt. I would recommend liberal provision being made to enable the Government to carry out this service at the earliest period, either separately or in conjunction with the Government of British Columbia. The anomalous state of the law regarding the Postal service of the Colony, generally, demands your attention. There is no law authorizing the Executive Government to frame Rules and Regulations, or fix the rates of postage. The expenditure for this branch of the public service during the year 1864 amounted to \$14,487, while the revenue reached only

\$3510, showing an excess of expenditure over revenue amounting to \$10,997—a disproportion which must be expected to continue in the absence of suitable laws and regulations.

6. I would earnestly bespeak the attention of the Legislature to the insufficiency of the Law for the prevention of the sale of intoxicating liquors to the Native Tribes by which they are demoralized and decimated. This iniquitous traffic is carried on by a worthless and degraded class of men, the cost of whose maintenance in prison and repeated convictions arising from inadequate punishment, falls heavily upon the public funds. Moving appeals have been made to me by Ministers of every denomination and by the Chiefs of several Indian Tribes to put an end to a crime which must eventually recoil upon the legitimate commerce of the Colony and society at large. Deplorable murders of Indians *inter se* as well as the murder of white men by Indians are of frequent occurrence and notoriously resulting from the illegal sale of liquors on the coast of this and the neighbouring Colony. I can see no difficulty in suppressing this unholy traffic if the existing faulty and insufficient Law be amended and with the object I have directed a Bill to be prepared and laid before you.

7. This existing Law of debtor and creditor in this Colony will come under your consideration. I feel confident that in whatever changes may be deemed necessary the principle will be held in view that imprisonment should be a punishment for crime and not for a simple failure to pay unaccompanied by dishonesty.

8. I regret to state that the expenditure of the current year has exceeded the revenue, still leaving demands for public improvements unsatisfied. On the other hand, sums have been expended in connection with the projected Harbour improvements considerably exceeding the original estimate for that service, and also for providing a Government House, which cannot occur again and ought not to be regarded as belonging to the ordinary expenditure of the Colony. To restore the equilibrium between revenue and expenditure is a matter of first importance, and I apprehend little difficulty will be found in devising legitimate means of raising the receipt and reducing the expenditure without either pressing unduly upon the people, or impairing the efficiency of the public service. While I deem it beyond the province of my duty to discuss matters, the decision upon which properly belongs to the Legislature, I feel bound to offer as the result of my experience that grave and numerous objections exist to new countries being drawn into debt except for the purpose of reproductive investment. I regard this Colony as a growing not a stationary community whose interests must be looked for in the future rather than the present.

9. I have caused the Attorney General to prepare the following Bills, which will be submitted for your consideration without delays namely:

1. To provide for the reception of native evidence.
2. To regulate the use of weights and measures.
3. To regulate and provide for postal services.
4. To regulate for gold mining.
5. To provide for the registration of Births, Deaths and Marriages.
6. To provide for the administration of Intestate Estates.
7. To provide exemption from Imprisonment for Debt.
8. To grant jurisdiction to Stipendiary Magistrates for the recovery of Small Debts.
9. To provide for the exemption of Homestead from Liability.
10. Coroners Bill.

Gentlemen of the Legislative Assembly:—

10. The Estimates for the coming year will be laid before you without delay, and I trust you will find them framed with every regard to economy consistent with the efficiency and credit of the public service. A statement will accompany the Estimates showing the probable condition of the Public Finances on the 31st December, 1865.

11. Sums are annually voted to a considerable amount for services and establishments over which the Executive Government has no sufficient control, and for purposes of local rather than general utility, and I would beg you to consider the propriety of these charges being borne by the General Revenue and this practice continued.

J. S. Helmcken
Speaker.

² Motion Book, 1865–66, p. 11: “I beg leave to give notice that I shall move at the next sitting of this House for certain returns from the Probate & Bankruptcy Courts.”

Mr. Dennes gave Notice of Motion—Imprisonment for debt Bill.

Mr. Duncan „ „ „ „ of “A Bill to amend the Banking Act.”

Mr. Dennes „ „ „ „ of “A Bill to increase the jurisdiction of the Inf. Cts. of Civil Justice.”

Dr. Dickson gave Notice of Motion “As to the right of this House to initiate & alter Money Bills.”

Mr. De Cosmos gave Notice of Motion of An Address for Copies of all Despatches and Correspondence [re] “Union of the Colonies.”

Dr. Dickson gave Notice of Motion of a Resolution “Reduction in Expenditure of the General Revenues.”

Mr. McClure gave Notice of Motion of a Restn. “That this House meet every Monday, Tuesday & Thursday at 1 p.m. for the dispatch of business.”

Address in reply to His Excellency the Governor’s Speech.

Ordered to be referred to a Select Committee.

Committee appointed: Messrs. McClure, Carswell, Trimble.

Ordered—That the Committee report to this House tomorrow.

On motion by Mr. Duncan—Leave granted to introduce “A Bill Entitled An Act respecting Barristers & Attorneys at Law.”

The House then adjourned till 3 p. m. tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 30th day of November, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dennes, Duncan, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Mr. McClure, from the Select Committee appointed to draft An Address in reply to His Excy. The Governors Speech asked leave to defer the presentation of the Report of that Committee until tomorrow.

Leave granted.

On motion by Mr. Duncan, seconded by Mr. Carswell—Ordered “That an humble Address be presented to His Excellency the Governor praying that he will cause the following Returns to be laid upon the table of this House at as early a date as convenient.”

“9th A return of all dividends declared on Bankrupt Estates in detail with the dates on which the same may have been declared.

“10th A return of all sums actually paid as such dividends specifying each estate in detail and the respective date of payment.”

1. A return of the names of all parties who have been adjudicated Bankrupts under and by virtue of the provisions of the "Bankruptcy Act, 1862" together with a description of such parties & the several dates of such adjudication in Bankruptcy.

2. A return of all sums received by the Official Assignee in Bankruptcy on account of such Bankrupt Estates, specifying each Estate separately and the date of such payments.

3. A return of all accounts rendered by the Official Assignee in Bankruptcy to the Accountant in Bankruptcy of Sums received by him on Account of Bankrupt Estates specifying the name of each Estate, the date and amount of moneys paid on such Estates separately, and how and when applied and the date of filing such Accounts with the Accountant in Bankruptcy.

4. A return of all sums paid into the Bank to the credit of the Accountant in Bankruptcy of Bankrupt Estates by the Official Accountant in Bankruptcy, specifying the amount and date of such payments as also the several Estates to account of which such may have been made.

5. A return of all sums received by the Accountant in Bankruptcy from the Official Assignee on account of Bankrupt Estates specifying the Amount of each payment, the date when received and the Estate to the credit of which the same may have been received.

6. A return showing the Value of Property taken possession of by the Official Assignee in Bankrupt Estates, the disposition made of the same, the amount of Goods (specifying whether the same were perishable or otherwise) and the dates of the Order or Orders of Court authorising the sale of such effects prior to the appointment of the Trade Assignees; such return to show each bankrupt Estate, with such particulars separately.

7. A return of all sums now in the hands of the Official Assignee in Bankruptcy, the Accountant in Bankruptcy or which may have been placed in the Bank, to the credit of the Accountant in Bankruptcy on account of Bankrupt Estates, specifying the name of each Estate, amounts and date of such payments applicable to each and to whom paid separately.

8. A return showing the gross amount of each Bankrupt Estate, all sums paid or allowed to the Official Assignee and Accountant in Bankruptcy as expenses or allowances in bankrupt Estates, specifying each separately.

9. A return of all dividends declared on Bankrupt Estates in detail, with the dates on which the same may have been declared.

10. A return of all sums actually paid as such dividends, specifying each Estate in detail & the respective dates of payment.

On motion by Mr. De Cosmos, seconded by Mr. McClure Ordered "That an humble Address be presented to His Excellency The Governor praying that His Excellency will communicate to this House copies of all Despatches or Correspondence forwarded to or received from H. M.'s Principal Secretary of State for the Colonies respecting a Resolution of this House in favour of "Union of this Colony with British Columbia" passed on the 25th Jany. 1865.

On motion by Mr. McClure, seconded by Dr. Powell, Ordered "That this House shall meet for the dispatch of business at 1 p. m. on Mondays, Wednesdays and Fridays during the present Session."

Mr. Dennes obtained leave to bring in "A Bill To increase the Jurisdiction of the Inferior Courts of Civil Justice."

Mr. McClure seconded.

On motion by Mr. Dennes, seconded by Mr. McClure—Ordered "That the House go into Committee of the whole tomorrow to report upon 'A Bill Entitled An Act to amend the law as to Imprisonment for debt.'"

On motion by Mr. Duncan, seconded by Mr. Dennes, Ordered "That an humble Address be presented to H. E. The Governor, praying that he will cause the following returns to be laid upon the table of this House at as early a date as convenient."

1st A return of all applications for Probates or Letters of Administration applied for, with the names of the several parties, their descriptions and full particulars as furnished to the Probate Court with reference to such Estates.

2nd A return of all sums paid into the Probate Court to account of the Estates of deceased persons, specifying "Testate" from "Intestate" with the date of such payments and how the same have been appropriated.

3rd A return of all sums paid for expenses or otherwise on account of Estates in the Probate court, Testate or Intestate, specifying the name of each estate and the date and amount of payment made on account of such Estate, & by whom & to whom made.

4th A return of all sums paid out of Court on account of Testate or Intestate Estates specifying date of payments, the amounts and particulars of each item so paid and the parties to whom paid, and for what purpose paid.

5th A return of all sums now in the hands of the Court or deposited in Bank or elsewhere to account or to the Credit of Estates Testate or Intestate, & the date of such payments into Bank or elsewhere.

6 The above several Returns to be from May 1858, till Novr. 1865.

Notices of Motion.

For a Standing Committee of 3 members of this House to audit the Public Accounts (Dr. Dickson).

For leave to introduce "A Bill to amend Franchise Act, 1859 (Mr. McClure).

For a Comtee. of 5 to be appointed—in re Puget Sound Agricultural Co. (Dr. Ash).

For Returns of Fees for Marriage Licenses from 1860 to 1865 inc. (Dr. Dickson).

For leave to introduce "A Bill—Lien Law" (Mr. Duncan).

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 1st day of December, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dennes, De Cosmos, Dickson, Duncan, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

Notices of Motion.

For 6th Inst.—Mr. Cochrane—"For Returns of all lots sold for Colonial or Municipal Taxes; and that a suitable Salary be placed in the Estimates for a Tax Collector."

For 8th Inst.—Mr. Cochrane—"For Returns of all moneys expended on the Roads from Victoria to North Saanich during the past year."

For 4th Inst.—Dr. Dickson—"For leave to introduce 'A Bill to make proper provision for License fees & for the payment of the same into the General Revenue.'"

For 4th Inst.—Mr. De Cosmos—

1. For leave to introduce "A Bill respecting the Law of Partnership."

2. " " " " " " "A Bill to amend the Bills of Sale Act."

On motion of Dr. Dickson, seconded by Mr. De Cosmos, Ordered "That an humble Address be presented to H. Excy. the Governor praying that he will cause Returns to be made to this House with as little delay as possible of the amount of money received for Marriage Licenses, and the number of issues during the respective years of 1850—'51, '52, '53, '54, '55, '56, '57, '58, '59, '60, '61, '62, '63, '64, and '65—with the disposition made of the same."

Mr. McClure, from the Select Committee appointed to draft An Address in reply to H. E. The Governors Speech, presented the Report of that Committee.

Ordered to be referred to Committee of the whole House on 4th Inst.

Read 2o. "A Bill Homestead and Exemption from Execution Act, 1865" On motion by Mr. De Cosmos, seconded by Mr. Duncan.

On motion by Mr. McClure—Leave granted to introduce "A Bill To amend the Franchise Act, 1859."

The House then went into Committee of the whole to report upon "A Bill To amend the Law as to Imprisonment for Debt."

Mr. Cochrane in the Chair.

The Chairman reported that the Committee had Ordered him to report the Bill favourably to the House.

Ordered "that report be agreed to."

The House then adjourned till Monday (4th Inst.) at 1 p. m.

J. S. Helmcken
Speaker

Monday, the 4th day of December, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A communication (No. 88) from His Excy. The Governor was read, in reply to An Address of this House, 30th Ult., asking for Copies of all Despatches or Correspondence forwarded to or received from the Rt. Honble. The Secretary of State for the Colonies on the subject of "Union."

Also, A Communication (No. 89)⁶ from H. E. The Governor stating in reply to An Address of this House for returns of moneys received for, and the number of issues of, "Marriage Licenses" from 1850 to 1865 inclusive, that instructions had been received from the Rt. Honble. The Secretary of State for the Colonies that moneys so received are part of the Crown Revenues of the Colony and are to be applied to purposes of Charity at the discretion of H. E. The Governor.

Ordered to be taken into consideration in Committee on Wednesday.

Mr. Speaker informed the House that he had received the resignation of C. A. Bayley Esqre. as Member for the district of Nanaimo.

Mr. De Cosmos presented a Petition from Mr. Loudon.⁷

Ordered to lie on the table.

On motion by Mr. Dennes, 2nded by Mr. Duncan, "A Bill To amend the Law as to Imprisonment for Debt" was read 1o. and ordered to be printed.

On motion by Mr. McClure, seconded by Mr. Dennes "A Bill To amend The Franchise Act, 1959" was read 1o.

Dissentiente Dr. Ash.

Ordered to be printed.

Leave granted (Mr. De Cosmos) to introduce "A Bill To amend the Bills of Sale Act, 1863."

The House then went into Committee upon the report of the Select Committee appointed to draft an Address in reply to H. E. The Governors Speech.

Dr. Dickson in the chair.

The Chairman reported that the Committee had ordered him to report the following Address—

May it please Your Excellency

We Her Majesty's faithful and loyal Subjects, the members of the Legislative Assembly of Vancouver Island have received with much attention Your Excellency's address on the opening of the present Session of Parliament.

We beg to assure Your Excellency that the Crown Lands Despatches alluded to in Your Excellency's address will receive our most earnest consideration.

⁶ Messages to House. Both No. 88 and 89 are dated 2 December 1865.

⁷ William Loudon's petition sought relief from paying a city licence for his business which had previously operated under a country licence. *Colonist*, 5 December 1865.

We regret that Your Excellency is unable to lay before us any definite proposition in connexion with the Union of the Colonies—a question which we have already maintained to be of paramount importance to the well being of the Country.

The danger to public health to which Your Excy. alludes as being consequent upon imperfect Municipal Institutions will we hope be dissipated by the granting of proper powers to the Municipality.

We beg to assure Your Excellency that we are fully alive to the importance of Steam Communication with San Francisco and to the necessity of a proper postal System.

We respectfully agree with Your Excellency that means should be immediately devised to suppress the present nefarious and illegal Indian liquor traffic.

The law of Debtor and Creditor will meet with our earliest attention.

We regret with Your Excellency to find that the public Expenditure of the current year has exceeded the Colonial Receipts—a fact which necessitates as Your Excellency no doubt perceives a policy of economy consistent with the exigencies of the Country & the efficiency of the public Service.

We are especially gratified to find that Your Excellency, in the list of Bills to be prepared by the Attorney General, is in favour of measures that have previously met with our favorable consideration, and we hope that no obstacle may arise to prevent these necessary Bills from becoming without further delay the law of the Colony.

In common with Your Excellency we congratulate the people of this Colony on the possession of the inestimable blessing of health and peace and we hope that nothing in the future may arise to disturb this satisfactory condition.

Ordered “that report be adopted.”

On motion by Mr. De Cosmos, leave granted to introduce “A Bill Entitled An Act respecting the Law of Partnership.”

Mr. McClure gave Notice of Motion.⁸

The House then adjourned till Wednesday.

J. S. Helmcken.
Speaker.

Wednesday, the 6th day of December, 1865

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dennes, Dickson, Duncan, Carswell, Cochrane, McClure, Powell, Trimble, Tolmie.

The last minutes having been read and confirmed.

Mr. Speaker reported the Presentation of the Address in reply to His Excellency the Governors Speech.

⁸ Motion Book, 1865-1866, p. 16: “I give notice that I will on Wednesday next move that His Excellency the Governor be respectfully requested to lay before this House copies of all public despatches forwarded by His Excellency to the Rt. Hon. Mr. Cardwell in reference to the resolutions passed by this House on June of 1864 in connection with the Crown lands and all despatches sent to Mr. Cardwell, in reference to the union resolutions which passed this House in January last.”

On motion by Mr. Duncan Ordered "That the House go into Committee on Friday next to report upon 'A Bill to amend the Banking Act.' "

On motion by Mr. McClure, seconded by Mr. De Cosmos, Ordered "That an humble Address be presented to H. Excy. The Governor praying him to lay before this House copies of all public Despatches forwarded by His Excellency to Mr. Cardwell, in reference to the Resolutions passed by this House in June 1864 in connexion with the Crown Lands, and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed this House in January last."

Read 1o. "A Bill To increase the Jurisdiction of the Inferior Court of Civil Justice 1865."

On motion by Mr. De Cosmos, seconded by Mr. McClure, Ordered that the House go into Committee this day to report upon the following Bills.

1 A Bill respecting the law of Partnership.

2 A Bill entitled An Act to amend the Bills of Sale Act, 1859.

The House then went into Committee upon the above Bills.

Also upon A Bill [entitled] "Homestead and Exemption from Execution Act, 1865."

Mr. Dennes in the Chair.

The Chairman reported that the Committee had ordered him to report the two first Bills favorably to the House respectively. In regard to the 3rd viz.: The Homestead Bill—to report the same complete without Amendment.

Ordered "that reports be agreed to respectively."

Bills read 1o. A Bill Entitled An Act to amend the Bills of Sale Act, 1865.

Also "A Bill Entitled An Act respecting the Law of Partnership" which latter Bill was Ordered to be printed.

In Committee of the whole House.

His Excellency's Communications Nos. "88", and "89."

Mr. Dennes in the Chair.

The Chairman reported that the Committee had Ordered him to report progress and ask leave to sit again.

In regard to No. "89" to report A Resolution.

That this House having had under its consideration the reply of His Excellency to the address of this House asking certain detailed information as to the number of Marriage Licenses issued in the years specified in its address, with the sums received as fees therefor and the disposition made thereof respectfully begs to express its disappointment and regret that the reply contains none of the information sought.

That this House furthermore begs leave to convey to His Excellency its conviction that it is entitled to the information solicited for the purpose of guiding its deliberations as to whether any and, if so, what alterations are demanded by the public Service in the collection and disbursement of revenue derived from the people and which with the increase of population and the advance of Civilisation in the Colony must continue to augment.

This House therefore renews its request that His Excy. will be pleased to communicate the information asked for.

Ordered "That report be adopted."

A Communication (No. 90) was read from H. Excy. The Governor stating, in reply to an Address of this House for certain Returns from the Courts of Probate and Bankruptcy, that said Returns should, as soon as received, be forwarded to this House.⁹

Dr. Powell moved "That a writ be now issued for a New Member for the District of Nanaimo, vice C. A. Bayley resigned."

Ayes: 2.

Messrs. Powell
Dickson

Noes: 6.

Messrs. De Cosmos
Dennes
Duncan
McClure
Carswell
Trimble

Notices of Motion.

Dr. Powell—For Friday next—To move that House name a day to consider the necessity and best means of amalgamating the L. C. and L. A. of Vancouver Id. upon a proper and equitable basis.

Mr. De Cosmos—On the subject of "Leave to introduce 'A Bill—Descent of Real Property.'"

Dr. Powell—As to Reciprocity with U. States.

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker

Friday, the 8th day of December, 1865

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the chair and Messrs. Ash, Carswell, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication "No. 91"¹⁰ was read from H. E. The Governor transmitting Copy of a Despatch "No. 53" from the Rt. Honble. The Secretary of State for the Colonies, as follows—

⁹ Messages to House, 5 December 1865.

¹⁰ Messages to House, 6 December 1865.

[Enclosure]

Vancouver Island
No. 53

Downing Street
25th September, 1865

Sir,

I have the honor to acknowledge the receipt of your Despatch No. 59 of the 18th July enclosing Copy of "A Bill to regulate the payment and application of fees for Marriage Licences." So long as Marriage Licenses are issued by the Governor of "Vancouver Island" in virtue of his Commission the fees receivable on the issue of such Licences form properly a part of the Crown Revenue. You will not therefore in the present state of Affairs be at liberty to assent to "A Bill transferring these receipts to the General Revenue."

I have, &c.,
(sd.) Edward Cardwell

Ordered to lie on the table.

Notices of Motion.

Dr. Trimble gave Notice of Motion of "An Address for Returns" of the number of trials, convictions &c. for Selling Liquor to Indians—and of convictions &c. for other offences fm. 30th Sep./64 till 30th Novr./65.

Mr. McClure "that House go into Committee at as early a date as possible to devise the best means of bringing about a Union of the Colonies of B.C. & V. Id."

Dr. Powell "of an Address to H. E. The Governor to know if any Action has been taken by the Government on a Resolution as to Reciprocity in trade between V. I. & U. States &c dated 15th Decr 1863."

On motion of Dr. Powell, seconded by Mr. De Cosmos Ordered "That the House go into Committee on Wednesday next to consider the question of amalgamating the Legislative Council with the Legislative Assembly of this Colony upon a proper and equitable basis."

"Mechanics Lien Law Bill"—Leave granted to introduce, on motion by Mr. Duncan, seconded by Mr. Dennes.

"Respecting the Descent of Real Property, Bill," Leave granted to introduce—On motion by Mr. De Cosmos, 2nded by Mr. McClure.

On motion of Mr. Cochrane, 2nded by Dr. Dickson Ordered "That an humble Address be presented to H. Excy. The Governor praying that he will cause Returns to be made of all Moneys expended on roads, specifying the sum expended upon each Road, during the present Year."

Mr. Cochrane obtained leave to postpone A Resolution of which he gave Notice on 1st Decr. "for Returns of Lots sold for Colonial or Municipal Taxes".

Bill read 1o.

"A Bill Respecting Barristers and Attorneys-at-Law" on motion of Mr. Duncan, 2nded by Mr. McClure.

Bills read 2o.

A Bill Entitled An Act to amend the Bills of Sale Act, 1863.

A Bill Entitled An Act to increase the Jurisdiction of the Inferior Court of Civil Justice.

The Order for the 3rd Reading of A Bill [entitled] "Homestead and Exemption from Execution Act, 1865" having been read—On motion by Mr. McClure The Bill was recommitted.

The House then went into Committee upon

1st The Bills of Sale Act, 1863, Amendment Act, 1865.

2nd The Bill to increase the Jurisdiction of the Inferior Courts of Civil Justice.

3 The Homestead and Exemption from Execution Act, 1865.

Dr. Powell in the Chair.

The Chairman reported that the Committee having had under consideration the before mentioned Bills had ordered him to report in regard to the first.

The Bill complete without Amendment.

In regard to the 2nd The Bill complete without Amendment.

In regard to the 3rd The Bill complete as amended.

Ordered that reports be agreed to respectively.

The House also went into Committee to report upon "A Bill Entitled An Act to amend the Bank Note Act, 1864."

Dr. Powell in the chair.

The Chairman reported Progress & asked leave to sit again.

Ordered that report be received & agreed to.

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 11th day of December, 1865

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Dennes, Duncan, De Cosmos, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

Mr. Speaker, referring to the fact of the Honble. Member for the District of Esquimalt and Metchosin having at the last sitting of this House charged "that an Honble. Member of this House is an Insolvent Debtor" suggested "that the question be referred to a Select Committee."

In reply to Dr. Trimble, Dr. Ash stated "that the person so charged was the Honble. Member for Lake (Mr. Duncan)."

Ordered "That the above question be referred to a Select Committee of Seven—whose names shall be balloted."

Committee balloted: Messrs. Dennes (1), Cochrane (2), Trimble (3), De Cosmos (4), Carswell (5), Dickson (6), McClure (7).

Notices of Motion.

Mr. Duncan—in re “Steam Communication with Panama.”

Mr. McClure—for leave to introduce A Bill to enfranchise Comox and Cowichan.

Mr. De Cosmos—in re “Issue of Legal Tender Treasury Notes &c.”

Mr. McClure—for leave to introduce “A Bill to amend Vict. Incorporn. Act/62.”

Mr. De Cosmos—“Waggon Road from Goldstream to Saywards Saw Mill &c.”

Mr. McClure for leave to introduce “A Bill to protect Inventors.”

Mr. De Cosmos “as to opening Cowichan & other Indian Reserves to settlement.”

On motion by Mr. McClure, seconded by Mr. De Cosmos Ordered “That a Writ be issued for the District of Nanaimo vice C. A. Bayley Esqre. resigned.”

Mr. Duncan charged that the Honble. Member for Metchosin & Esquimalt District had committed a gross breach of Privilege in having caused to be delivered to him while the House was in debate, a letter demanding payment of a sum of money upon pain, in the event of such sum of money not being paid, of Mr. Speaker’s Attention being called in this House to the fact that he (Mr. Duncan) was an alleged Insolvent Debtor.

On motion by Mr. De Cosmos, seconded by Mr. McClure—Ordered “that the above question be referred to a Committee on Privileges.”

Comtee. balloted for as follows—Messrs. Dickson, Cochrane, Dennes, Trimble, Carswell, Tolmie, De Cosmos.

Ordered that Comtee. meet tomorrow at 11 a. m.

Dr. Tolmie rose to a question of Privilege—to correct certain mis-statements made by the “Vancouver Daily Post” in its report of a Speech made by him in the debate upon “The Homestead Bill.”

On motion of Dr. Trimble, seconded by Dr. Tolmie—Ordered “That an humble Address be presented to H. Excy. The Governor praying that the following Returns be asked for—

1 The number of persons tried in Victoria for selling or giving Spirits to Indians fm. 30th Sep. 1864 till 30 Novr. 1865; the number convicted; the number found “Not Guilty”; the number sent to prison; the number who paid the fine; and the separate amounts; the amount of fine inflicted; and the term of Imprisonment; the number convicted more than once; the cost of maintenance in prison per diem.

2 The number of persons convicted during the same period for offences other than that of selling Spirits to Indians, distinguishing Prisoners received from H. M.’s Navy—(names of Individuals not required)—together with the same kind of information as prayed for in Section No. 1.

On motion by Mr. McClure, Seconded by Mr. De Cosmos, Ordered “That the House go into Comtee. on Wednesday next (13th inst.) to devise the best means to bring about the immediate Union of the Colony of Vancouver Island with British Columbia on a permanent basis.”

Dr. Trimble presented a Petition from the Promoters of a certain Enterprise in search of "Fisheries"—praying that they may be awarded the premium of Four Thousand Dollars set aside in that behalf in the Estimates 1865.

On motion of Dr. Ash, seconded by Mr. De Cosmos, Ordered "That a Committee of 5 be appointed with power to call for persons and papers, to enquire into all matters relating to the right and title of the Puget Sound Agricultural Co. to hold Lands in this Colony, and also into the particulars of any claim made by or on behalf of, that Company on the Colonial Trust Fund."

Select Committee appointed: Messrs. Ash, Cochrane, Tolmie, Powell, Carswell.

Bills read 1o.

"A Bill Entitled An Act for securing Liens to Mechanics and others".

On motion of Mr. Duncan, 2nd Mr. Dennes.

"A Bill Entitled An Act respecting the descent of Real Property 1865" On motion of Mr. De Cosmos, 2nd Mr. McClure.

Bills read 3o. and passed.

Homestead and Exemption from Execution Act, 1865.

Bills of Sales Act, 1861, Amendment Act, 1865.

To increase the Jurisdiction of the Inferior Court of Civil Justice, 1865.

Bills read 2o. and committed.

A Bill Entitled An Act to amend the Law as to Imprisonment for Debt /65.

A Bill Respecting Barristers and Attorneys-at-Law.

On motion of Dr. Powell, Seconded by Mr. De Cosmos, Ordered "That an humble Address be presented to His Excy. The Governor praying that this House may be informed what action has been taken by the Government upon a Resolution respecting Reciprocity in trade between 'Vancouver Island' and the 'United States' passed by this House Decr. 15th 1863, and whether there is any other information in possession of the Government upon this subject, which could be communicated to this House."

The House then adjourned till Wednesday at 1 p. m.

J. S. Helmcken
Speaker

Wednesday, the 13th day of December, 1865

The House met this day at 1 p m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dennes, Duncan, Dickson, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

Notices of Motion.

Mr. Dennes—for leave to introduce “A Bill to amend the Bankruptcy Act, 1862” for Friday—15th Inst.

Mr. Duncan for a Select Committee of 5 to be appointed to take into consideration the working of the Bank Note Act /64— & amendments thereto.

Mr. De Cosmos from the Select Committee appointed by the House on the 11th Inst. to investigate a charge against the Honble. Member for Lake of “sitting in this House as an Insolvent Debtor, preferred by the Honble. Member for Esquimalt and Metchosin reported “That the Committee having duly weighed and considered the Evidence in support of the allegation Resolved unanimously that in the Evidence produced before the Committee there is no proof that the Honble. Member for Lake is an Insolvent Debtor.”

Ordered “to lie on the table.”

The Committee on Privileges appointed by the House on 11th Inst. was “Ordered to meet at 11 a. m. tomorrow.”

On motion of Mr. Duncan, 2nded by Mr. De Cosmos, Ordered “that House go into Comtee. on Monday next to take into consideration the subject of Steam Communication with San Francisco.”

On motion of Mr. McClure, seconded by Mr. De Cosmos, Leave granted to bring in “A Bill To provide for the Representation of Comox and Cowichan.”

On motion of Mr. De Cosmos, 2nded by Mr. McClure, Ordered “That the House go into Comtee. on Wednesday next to consider the propriety of authorising the issue of ‘Legal-tender Treasury Notes’ to an amount not exceeding One Hundred Thousand Dollars.”

On motion of Mr. McClure, 2nded by Mr. De Cosmos, Leave granted to bring in “A Bill To amend the Victoria Incorporation Act, 1862.”

On motion of Mr. De Cosmos, 2nded by Mr. Duncan Ordered “That the House go into Committee on Wednesday next ‘To consider the advisability of opening a Waggon Road from Gold Stream to Sayward’s Saw Mill and to erect bridges and otherwise improve the Road from thence to Nanaimo so that the road between Victoria and Nanaimo may be made practicable for vehicles.’ ”

On motion of Mr. McClure, 2nded by Mr. Dennes, Leave granted to bring in “A Bill To protect Inventors.”

On motion of Mr. De Cosmos, 2nd by Dr. Tolmie Ordered “That an humble Address be presented to H. E. The Governor praying that he will inform this House whether it is his intention to throw open the Cowichan Indian Reserve and other such Reserves elsewhere to settlement in accordance with a Resolution of this House dated 22nd May, 1865.”

A Communication was read from H. E. The Governor “No. 91. dated Victoria 12th Decr. 1865 acknowledging Receipt of An Address of this House (11th Inst.) in re ‘Reciprocity between V. Id. and the U. States’—informing the House that he had urged upon H. M.’s Government the necessity for the extension of the treaty and stating that he was not in possession of any official information on the subject.”

Also, A Communication from H. E. The Governor (No. 92) as follows.

[No. 92]

Vancouver Island
Government House, Victoria
12th Decr. 1865

To The Honble The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to acknowledge the receipt of An Address from the Legislative Assembly praying that I would lay before the House "Copies of all Despatches forwarded to Mr. Cardwell in reference to the Resolution passed by this House in June, 1864, in connexion with the Crown Lands and all Despatches sent to Mr. Cardwell in reference to the Union Resolutions which passed the House in Jany. last."

With the most earnest desire to meet the wishes of the Legislative Assembly and afford the fullest information on these subjects I regret that I am precluded from complying with the conditions of their address without the sanction of H. M.'s Secty. of State for the Colonies previously obtained.

I now upon my own responsibility lay before the House extracts of Despatches transmitted by me on the subject of the Crown Lands of V. Id. relating to the matters treated of in the Despatch of H. M.'s Secty. of State recently laid before the House; but the production of Despatches addressed by me to H. M.'s Secty. of State on the subject of the Union *Resolutions* either in whole or in part before I had received replies thereto would be a manifest breach of duty and wholly without precedent. The object of the Legislative Assembly in the present instance will be probably attained by my stating that in addressing H. M.'s Secty. of State in March 1865, I expressed my deliberate conviction that the Union of these Colonies would be conducive to the best interests of both, and my earnest desire that it should be consummated.

My subsequent experience having fortified that conviction and sentiment I continue to be firmly of opinion that the Colonies of B. C. & V. Id. should be united and that the Union of them would be an important means of securing their substantial progress and prosperity.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor.

This Despatch (92) with enclosures Ordered to be printed.

Petition from the Chamber of Commerce¹¹—Dr. Powell presented.
Ordered to lie on the table.

Bills read 2o. & committed.

The Franchise Act, 1865.

The Partnership Act, 1865.

The Mechanic's Lien Act, 1865.

The Intestates Real Property Act, 1865.

Order of the Day—In Comtee. of the whole House A Resolution "That House go into Comtee. to devise the best means to bring about the immediate Union of the Colonies of V. Id. and British Columbia on a permanent basis."

Mr. Dennes in the chair.

¹¹ The petition requested "the abolition of the cattle permits, the half per cent permits on imports, and a modification of the law of imprisonment for debt." *Colonist*, 15 December 1865.

The Chairman reported that the Committee having had under consideration the above mentioned subject had Ordered him to report the following Resolutions.

1. That this House fully endorses the Union Resolutions passed by this House on January 25th 1865; and would again repeat its conviction that an immediate Union of Vancouver Island and British Columbia is necessary beyond every other measure to impart confidence to the public mind and place both Colonies on a prosperous footing.

2. Resolved that although this House has already shown its willingness to accept whatever constitution H. M.'s Government may be pleased to grant, it would fail in its duty to the people of this Colony as well as to H. M. did it not express its conviction that no constitution would be adapted to the growing wants of these Colonies that did not embrace a Representative Government that would give to the people the right to determine the mode as well as the amount of Taxation and that would make the Official Heads of Departments responsible to the people of the United Colony.

3. Resolved that the above Resolutions be transmitted to H. E. The Governor with the respectful request that they be forwarded as early as possible to Her Majesty's Secretary of State for the Colonies.

Ordered that report be agreed to—Read 1o.

The House also went into Comtee. of the whole upon a Resolution "that the House take into consideration in Comtee. the best means of amalgamating the Legislative Council with the Legislative Assembly of this Colony, on a proper and equitable basis."

Mr. Dennes in the Chair.

The Chairman reported that he had been ordered to report progress and ask leave to sit again.

Ordered "that report be received."

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 15th day of December, 1865

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Dennes, Duncan, Dickson, Cochrane, De Cosmos, McClure, Powell, Trimble, and Tolmie.

The last minutes having been read and confirmed.

Notices of Motion for Monday (17th Inst.)

Mr. De Cosmos—"For leave to introduce 'A Bill respecting Ferries.'"

" " " " "That the Members of this House be supplied with a printed Copy of the Statutes of this Colony—such copy to be bound."

On motion by Dr. Powell, seconded by Mr. De Cosmos Ordered "That Wednesday next be fixed for the House to take into consideration in Committee the subject of Reciprocity with the United States, and to take Steps to include the Colony of Vancouver Island in the Reciprocity Treaty which may now be in anticipation between the British North American Provinces & the United States."

Dr. Dickson, from the Committee on Privilege appointed by the House on the 11th Inst. to investigate a charge of Breach of Privilege preferred by the Honble. Member for Lake against the Honble. Member for Esquimalt and Metchosin, reported—"That the Committee are of opinion that the Honble. Junr. Member for Esquimalt & Metchosin committed a breach of the Privileges of this House in sending a certain Note to the Honble. Member for Lake and that the Committee recommend that the Honble. Member do apologise to this House therefor."

On question put by Mr. Speaker "That the report of the Committee be agreed to" The House divided.

Ayes: 6:

Messrs. Carswell
Dennes
De Cosmos
McClure
Powell
Trimble

Noes: 3.

Messrs. Cochrane
Dickson
Tolmie

The report was therefore agreed to.

Dr. Ash then begged to convey to the House his expression of regret if he had infringed any of the rules of the House.

Mr. Duncan obtained leave to amend A Resolution of which he Gave Notice on the 13th Inst. in re "The Bank Note Act" by erasing the word "five" and inserting in lieu the word "three"; then

On motion of Mr. Duncan, seconded by Mr. McClure, Ordered "That a Select Committee of three be appointed to take into consideration the Bank Note Act & the Amendments necessary thereto."

Ordered "that Messrs. Duncan, De Cosmos, Tolmie, be a *Select Committee* in the above matter."

Ordered "That various recent Petitions which have from time to time been presented to this House, be taken into consideration in Comtee. on Monday next (18th Inst.) after the Order of the Day, proper."

On question "that certain *Resolutions* reported from Comtee. of the whole House on the 13th Inst. in re 'The Union of the Colonies of British Columbia and Vancouver Island' be confirmed."

Mr. Cochrane, seconded by Dr. Powell, moved An Amendment—"That Restn. No. 2—be recommitted."

For the Amendment

Ayes: 4.

Messrs. Cochrane
Tolmie
Powell
Ash

Noes: 7.

Messrs. McClure
De Cosmos
Duncan
Dickson
Trimble
Dennes
Carswell

The Restns. were then read 2o. and confirmed.

Order of the Day—In Comtee. of the whole House.

A Bill Entitled An Act to amend the Law as to Imprisonment for debt.

A Bill Entitled An Act to amend the Franchise Act, 1859.

Dr. Powell in the Chair.

The Chairman reported that the Comtee. having had the above Bills under consideration had ordered him to report. In regard to the first—"the Bill complete as amended." In regard to the second "progress, and that the Committee asked leave to sit again."

Ordered that reports be agreed to respectively.

The House then adjourned till Monday (18th Inst.) at 1 p. m.

J. S. Helmcken.
Speaker.

Monday, the 18th day of December, 1865

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Ash, Carswell, Cochrane, Dickson, Dennes, De Cosmos, Duncan, McClure, Powell, Tolmie, Dr. Trimble.

The last Minutes having been read and confirmed.

Notice of Motion.

Mr. Dennes That he would ask leave at an early day to introduce "A Bill To protect Creditors against fraudulent Debtors."

On motion of Mr. De Cosmos, seconded by Mr. Dennes, Leave granted to bring in "A Bill Entitled An Act respecting Ferries."

On motion of Mr. De Cosmos, Seconded by Dr. Dickson Ordered "That each Member of this House be supplied with a printed Copy of the Statutes of this Colony—such Copy to be bound."

Read 3o. and passed.

A Bill Entitled An Act to amend the law as to Imprisonment for debt.

Order of the Day.

The order of the day for the House to go into Committee upon "Certain recent Petitions which have from time to time been laid before the House" having been read.

On motion of Dr. Trimble, seconded by Mr. McClure, The order of the Day was discharged.

The House then went into Committee upon the question of Direct Steam Communication with San Francisco.

Mr. Dennes in the Chair.

The Chairman reported that the Committee had ordered him to report the following Resolution.

"That His Excellency The Governor be respectfully requested to enter into negotiation with responsible parties either British or Foreign to put on, for six months at least, from the 1st day of January or February next and thereafter twice or thrice per month between Victoria and San Francisco a direct Mail Steamer of suitable power and passenger Accommodation; And that this House pledges itself to vote a Sum not exceeding Fifteen Hundred Dollars (\$1500.00) per trip for the said purpose."

Ordered "that report be agreed to."

The House also went into Committee upon "A Bill To amend the Franchise Act, 1859."

Mr. Dennes in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

A Communication (No. 94) was then read from H. E. The Governor, dated this day, transmitting in compliance with An Address of the Legislative Assembly "Returns of all moneys expended on Roads specifying the Sums expended upon each Road during the present year."

Also a Communication (No. 95)¹² fm. H. Excy. The Governor stating, in reply to An Address of the Legislative Assembly praying to be informed whether it is His Excy.'s intention to throw open the Cowichan and other Indian Reserves to settlement, "that while His Excellency fully appreciates the importance of the subject, he is without power to take any practical measures in reference thereto pending the reconveyance of the public lands of the Colony to the Crown or to the local Legislature."

J. S. Helmcken
Speaker

¹² Messages to House, 18 December 1865.

Wednesday, the 20th day of December, 1865

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Dennes, De Cosmos, Duncan, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

Notices of Motion.

Mr. Duncan to move "that the Govt. Steamer Sir James Douglas be placed at once upon the route between Victoria and Comox and Cowichan &c."

Mr. Duncan to move for "An Address to H. E. The Governor praying for Returns of the number of Tax and Ratepayers in V. Id. &c."

Mr. Duncan to move "that a Committee of 5 be appointed to consider the best means of procuring a Commercial Treaty of Reciprocity, joint Action-in-law, Fiscal Affairs &c. with British Columbia."

The Order of the day—for the 2nd Reading of the Resolutions reported from Comtee. of the whole yesterday in re "Direct Steam Communication with San Francisco" having been read.

Dr. Tolmie, seconded by Dr. Trimble, moved An Amendment "That the Resolutions be recommitted in order to insert a Resolution that the time of contract be prolonged from 6 to 12 months.

Question put "That the Resolutions reported from Committee yesterday do now pass."

Ayes: 5.

Noes: 2.

Messrs. Carswell
Cochrane
De Cosmos
Duncan
McClure

Messrs. Trimble
Tolmie

Ordered "that a Committee of 3 be appointed to wait upon His Excellency the Governor to explain the views of this House on the subject of the preceding Resolutions."

Comtee. appointed: Messrs. McClure, Tolmie, De Cosmos.

The House then went into Comtee. of the whole upon A Resolution "That this House go into Committee to consider the propriety of authorising the issue of legal tender 'Treasury Notes' to an amount not exceeding \$100,000.00."

Dr. Trimble in the Chair.

The Chairman reported that he had been Ordered to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

A Message was then received from H. E. The Governor stating that he would receive the Select Committee of the House, in re Steam Communication with San Francisco if convenient, forthwith.

On motion of Mr. De Cosmos, seconded by Mr. McClure, The House adjourned for half an hour to enable the Comtee. to confer with His Excellency the Governor.

The Committee being returned, and a quorum not being present, the House adjourned till Friday at 1 p. m.¹³

J. S. Helmcken
Speaker

Wednesday, the 3rd day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Carswell, Cochrane, Dennes, Duncan, De Cosmos, Dickson, McClure, Powell, Dr. Trimble.

The last minutes having been read and confirmed.

A Communication (No. 96) was read from H. E. The Governor transmitting Estimates of Revenue and Expenditure for the year, 1866, accompanied by certain Financial Returns.¹⁴

Notices of Motion.

Mr. Duncan—Address for certain Returns—Bank Notes issue of

Mr. Duncan— „ „ „ „ —Of the number of cases adjudicated upon by the Magistrates of Sooke, Nanaimo and Victoria other than whisky cases &c.

Mr. Duncan Address for certain Returns Of the quantity of land surveyed in V. Id.—distinguishing Town from Country.

Mr. Duncan Address for certain Returns of the Expenditure of the various Departments of the Government—Of the Salaries paid to each Department and its employees. Of all moneys received by the Government for Sales of Lands, Taxes, &c. in detail.

Mr. De Cosmos—“That ‘An Administrative Committee’ be elected by this House, to which all matters pertaining to the Estimates shall be referred.”

Mr. Duncan “For leave to introduce ‘A Bill to impose a charge on all imported Packages.’”

On motion of Mr. Dennes, 2nd by Mr. McClure—Leave granted to bring in “A Bill To protect Creditors against fraudulent debtors.”

¹³ There are no official minutes for the proceedings of the House on Friday, but the *Colonist*, 23 December 1865, gave the following account:

“The House met at 1:15pm yesterday. At the usual hour of commencing business Messrs. De Cosmos, Duncan and Dennes were the only members present besides the hon. the Speaker. This number not constituting a quorum, it was decided to adjourn the House over the holidays. A communication having been received from His Excellency the Governor containing the Estimates, the documents were read by the Speaker. . . . Messrs. Powell, Cochrane, and Tolmie arrived shortly after, but too late to form a House. After some discussion, January 3rd was fixed upon for resuming the business of the session.”

¹⁴ Messages to House, 20 December 1865. The financial returns accompanying Kennedy’s message are printed in the *Colonist*, 23 December 1865.

Mr. De Cosmos presented A Petition from certain Licensed Victuallers of Victoria District praying for a Repeal of that portion of the "Liquor License Act, 1862," which requires them to pay a City License.

Ordered "to lie on the table."

Mr. De Cosmos presented a Petition from the Promoters of the Harewood Railway Co. (Limited) praying for an extension of time of one year beyond the limit provided under the "Harewood Railway Co. Act, 1864."

Ordered to lie on the table.

Mr. De Cosmos gave Notice of Motion for 5th Inst. "That the Standing Orders on Private Bills be suspended in re above."

On motion of Mr. Cochrane, seconded by Dr. Dickson, Ordered "That an humble Address be presented to H. Excy. the Governor praying for a return of all lots sold for Colonial or Municipal Taxes with names of the owners & purchasers."

On motion of Mr. Duncan, seconded by Mr. Dennes—"That an humble Address be presented to H. E. The Governor praying that he will cause a Return to be made to this House of the number of Tax and Rate Payers in Vancouver Island distinguishing Town from Country."

The House divided.

Question put "That the above Return be asked for."

Ayes: 3.

Messrs. Dennes
Duncan
Trimble

Noes: 6.

Messrs. Carswell
Cochrane
De Cosmos
Dickson
McClure
Powell

On motion of Mr. Duncan, 2nd by Mr. Dennes Ordered that House go into Comtee. on Friday next to consider the best means of procuring a Commercial Treaty of Reciprocity, Joint Action in Law and Fiscal Affairs &c. between Vancouver Island and British Columbia.

On motion of Mr. McClure, 2nded by Mr. Dennes Read 1o. "A Bill Entitled An Act to enable the Districts of Cowichan and Comox to elect Members to the House of Assembly."

The House then went into Comtee. of the whole upon "A Bill To amend the Franchise Act, 1859."

Also upon "A Bill Entitled An Act respecting Barristers and Attorneys at Law."

Mr. Dennes in the Chair.

The Chairman reported that the Comtee. had ordered him to report In regard to the first—the Bill complete as amended; In regard to the second—the Bill complete without amendment.

Ordered "that reports be agreed to respectively."

Mr. Speaker gave Notice that at next meeting of the House he would move that a Supply be granted for the use of Her Majesty.

The House then adjourned till Friday, 5th Inst.

J. S. Helmcken
Speaker

Friday, the 5th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Ash, Carswell, Cochrane, Dennes, Dickson, Duncan, Powell, Dr. Trimble.

The last minutes having been read and confirmed.

Mr. Thomas Cunningham took the Oaths and his seat for the District of Nanaimo.

Dr. Dickson gave Notice of Motion for leave to introduce "A Bill to apply the laws of England to Vancouver Island in so far as they are not repugnant to the Laws now in force in this Colony."

Mr. Cochrane rose to a question of Privilege to correct certain mis-statements made in the Colonist Newspaper in its report of his Speech in the debate upon the Franchise Bill.

On motion of Mr. De Cosmos—leave was granted to Dr. Tolmie, for one month.

On motion of Mr. Duncan, 2nded by Dr. Trimble "That an humble Address be presented to H. E. The Governor praying that he will cause to be laid on the table of this House, Returns of the Bank Notes payable on demand issued and the amount of Metallic Reserve held against such issues by the various Banking Establishments during the year 1865—such Returns to embrace the character of the Notes, also the number of official visits paid to these Establishments."

The House divided.

Ayes: 4.

Messrs. Duncan
Dennes
Cunningham
Trimble

Noes: 6.

Messrs. De Cosmos
Dickson
McClure
Ash
Powell
Cochrane

On motion of Mr. Duncan, 2nded by Mr. Dennes Ordered "That an humble address be presented to H. E. praying that he will cause to be laid on the table of this House Returns of the number of cases adjudicated upon by the Stipendiary Magistrates of Sooke and Nanaimo (other than cases of selling or giving liquor to Indians) with the amount of the expenses of each case to the Government for the year 1865."

On motion of Mr. Duncan, seconded by Dr. Trimble Ordered "That an humble Address be presented to H. E. The Governor praying that he will cause to be laid on the table of this House Returns of the quantity of land surveyed on this Island (V. Id.) distinguishing Country from Town—with dates owners name and by whom surveyed—for the year 1865."

On motion of Mr. Duncan, 2nded by Mr. Dennes, "That an humble Address be presented to H. E. The Governor praying that the following Returns be laid on the table of this House for the year 1865—at as early a date as convenient—A detailed Account of the whole actual expenditure made by the Government and of every Government Department connected therewith—setting forth separately the dates of payment, various articles, their nature, rates and quantities."

A detailed Account of the whole of the Salaries paid to each Department and its employees and the names of the various recipients thereof.

A detailed Account of all moneys (from all sources) received by the Government; and particulars of all moneys received or realised by the sale of Lands sold in default of payment of Instalments and Taxes, distinguishing Town from Country; the amount of Instalments and Taxes due before sale; names of owners; the period of time said lands have been held by said owners before sale; the amount of Instalments and Taxes paid by the said owners on said land before said sale, and whether said owners were communicated with separately by the Government before the said sales of land took place."

The House divided.

Ayes: 3.

Messrs. Duncan
Dennes
Trimble

Noes: 8.

Messrs. Ash
McClure
Powell
Dickson
Cochrane
Carswell
De Cosmos
Cunningham

On question put by Mr. Speaker "That a Supply be granted for the use of Her Majesty" which was resolved in the affirmative.

Ordered "that a Committee of Supply be the Special Order of the day for Wednesday next (10th Inst.)."

On motion of Mr. De Cosmos, Seconded by Mr. Dennes, Ordered "That the Standing Orders of this House on Private Bills be suspended in re 'A Bill Entitled An Act to enlarge the time limited by the "Harewood Railway Company Act, 1864" for making and completing a Railway from Departure Bay, Nanaimo District, to the Harewood Coal Fields, in Mountain District, Vancouver Island,' and That said Bill be treated as a Public Bill."

Mr. De Cosmos then gave Notice of Motion for leave to introduce the above Bill.

Order of the Day.

Read 3o. and passed "A Bill Entitled An Act respecting Barristers and Attorneys-at-Law."

On question put that "A Bill Entitled An Act to amend the Franchise Act, 1859" be now read 3o. The following Amendments were put respectively.

On Motion of Dr. Dickson, seconded by Mr. Cochrane. "That the Bill be recommitted" which was negatived.

Ayes: 4.

Messrs. Dickson
Cochrane
Ash
Powell

Noes: 7.

Messrs. Cunningham
Dennes
McClure
Trimble
De Cosmos
Carswell
Duncan

On motion of Dr. Trimble, 2nded by Mr. Dennes, "That Section 3, Clause 1—be recommitted" which was agreed to.

Ayes: 6.

Messrs. Trimble
Dennes
Carswell
Powell
Duncan
Cochrane

Noes: 3.

Messrs. McClure
De Cosmos
Cunningham

On motion of Dr. Powell, 2nded by Mr. Cochrane "That Section 4 be re-committed" which was not agreed to.

Ayes: 4.

Messrs. Powell
Cochrane
Dickson
Ash

Noes: 6.

Messrs. De Cosmos
Carswell
McClure
Dennes
Trimble
Duncan

On motion of Dr. Trimble, 2nded by Mr. Dennes "That Section 6 be re-committed on clauses 1 and 5" wh. was agreed to.

Ayes: 6.

Messrs. Trimble
Dennes
Carswell
Cochrane
Duncan
Powell

Noes: 3.

Messrs. McClure
De Cosmos
Dickson

On motion of Mr. McClure, 2nded by Mr. De Cosmos "That Section 9 be recommitted" which was agreed to.

Dissentiente Dr. Trimble.

Section 3, Clause 1, Section 6, Clauses 1 and 5, and Section 9 (of the Bill as printed) were recommitted accordingly.

Bill read 2o. and committed.

A Bill Entitled the Representation Extension Act, 1865.

On motion of Mr. De Cosmos, 2nded by Dr. Dickson, Ordered "That a Committee composed of three Members, to be called 'the Finance Committee' be appointed by this House to serve during this Session, and that all matters of enquiry pertaining to the Estimates be referred to such Committee."

Ordered "that Messrs. De Cosmos, Dickson, Duncan, be the Committee."

The House then went into Committee of the whole upon the question of "Reciprocity with the United States of America" (Notice see 6th Decr. /65).

Also "to consider the advisability of authorising the issue of legal-tender-Treasury Notes to an Amount not exceeding One Hundred Thousand Dollars" (Notice—see Dec. 11/65).

Mr. Dennes in the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subjects had Ordered him to report—

In regard to the first A Resolution "That His Excellency The Governor be respectfully requested to take immediate Steps by addressing H. M.'s Government, and otherwise, to include the Colony of Vancouver Island in any treaty which may be now in negotiation or be executed by Great Britain and the United States for reciprocal Commercial intercourse between the United States and the British North American Colonies."

In regard to the second A Resolution "That the Comtee. recommend that A Bill be ordered authorising the issue of Treasury Notes to An Amount not exceeding One Hundred Thousand Dollars."

That no Note be issued for a greater or less sum than Five Dollars.

That such Notes be made legal-tenders passable as money.

That the Treasurer shall pay all Warrants in Gold or Silver, if on the Treasury, or in Treasury Notes issued in accordance with this Act; and such Treasury Notes shall be again received at the Treasury or in any other Department of the Government in payment for Taxes, Fees, or Dues, at their specified values.

The Governor in Council shall appoint three Commissioners of Treasury Notes who shall hold office during pleasure and be sworn in before a Judge of the Supreme Court to the faithful discharge of their duties, any vacancy to be filled by a similar appointment.

The form of Treasury Notes and the mode of issuing them shall be established by the Commissioners with the Assent of the Governor in Council. A Plate shall be obtained from which the notes shall be printed, which shall remain in the custody of the Colonial Secretary and all impressions taken from the said Plate shall be securely kept in the office of the Colonial Secretary or such other safe Place as the Governor may direct, till the Commissioner or any two of them shall require the same at the instance of the Governor in Council.

The Commissioners shall from time to time deliver to the Treasurer, as many Treasury Notes, signed by them, as may be required, and such Notes shall be immediately signed by the Treasurer.

Ordered that reports to read a first time respectively and agreed to.

The House then adjourned till Monday 8th Inst.

J. S. Helmcken
Speaker.

Monday, the 8th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cunningham, Cochrane, De Cosmos, Dennes, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

On motion of Mr. De Cosmos, Seconded by Dr. Powell "A Bill Entitled the Harewood Railway Co.'s Extension Act, 1866" was read 1o.

Notices of Motion for 10th Inst.

Mr. McClure—for leave to introduce "A Bill to provide for Municipal Government in the various Electoral districts of V. Isd. and its Dependencies."

Mr. Dennes—for leave to introduce "A Bill relating to the Law of Divorce."

Order of the Day.

Reciprocity between Vancouver Island and the U. S. of America—Certain Resolutions reported from Committee on the 5th Inst. concerning.

Read 2o. and confirmed.

On question proposed "that certain Resolutions reported from Committee of the whole House on the subject of the Issue of Legal Tender Treasury Notes to the amount of One Hundred Thousand Dollars" be confirmed, On the Amendment of Mr. De Cosmos, 2nded by Mr. McClure Resolved Unanimously that the said Resolutions be referred to Committee of Ways and Means.

In Comtee. of the whole House.

"A Bill Entitled An Act to amend the Law of Partnership" and "A Bill Respecting the descent of Real Property."

Mr. Dennes in the Chair.

The Chairman reported that the Committee had ordered him to report the above Bills complete respectively without Amendment.

Ordered that report be agreed to.

J. S. Helmcken
Speaker.

Wednesday, the 10th day of January, 1866

Present: Mr. Speaker and Messrs. Ash, Dennes, Duncan.

At 1:22 p. m. the House was counted out.

J. S. Helmcken
Speaker.

Thursday, the 11th day of January, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cunningham, Dennes, Duncan, Dickson, De Cosmos, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 1) dated 9th January 1866 was read fm. H. Excy. the Governor acknowledging receipt of a Resolution of the House upon the subject of "Reciprocity between Vancouver Island and the United States of America" informing the House that H. Excy. would forward the Resolution without delay to H. M.'s Govt.

Also A Communication (No. 2) dated 10th January 1866 from H. Excy. The Governor, transmitting a letter from the "Treasurer of the Royal Hospital" applying for payment of moneys on account of the grant made by the Legislature in aid of that Institution for 1865—which latter *Communication* from H. Excy. with its Enclosure were Ordered to be referred to Committee of Ways and Means.

Notices of Motion.

Mr. Duncan to move for leave to bring in "A Bill to repeal the Real Estate Tax Amendment Act."

Mr. Duncan to move for leave to bring in "A Bill to repeal the Trades' License Act."

Mr. Duncan to move for leave to bring in "A Bill to repeal the Salaries Tax Act."

Mr. Duncan to move for leave to bring in "A Bill to amend the Liquor License Act in so far as reducing the said License to one half its present amount."

Mr. Duncan to move at next Session of the House "that an Address be presented to H. E. The Governor praying him to cause to be laid on the table of this House all papers connected with the late action of 'H. M. S. Clio.'"

Mr. De Cosmos to move at next Session of this House "that H. Excy. The Governor be respectfully requested to furnish the Finance Committee with any information required respecting the Estimates and Financial Affairs of this Colony."

Leave was granted to Dr. Dickson to amend the Resolution of which he gave Notice on the 5th Inst. by inserting the word "Criminal" before the word "Law."

Bills read 3o. and passed.

"A Bill Respecting the descent of Real Property."

Also "A Bill To amend the Law of Partnership."

The Special Order of the Day having been read, viz.: "That the House do resolve itself into Comtee. to consider of the question 'That a Supply be granted for the use of Her Majesty.'"

Mr. Speaker left the Chair.

Dr. Powell in the Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that he had been Ordered to report that the Comtee. had resolved nem. con. "that A Supply be granted for the use of H. Majesty."

Ordered that report be received—Read 1o.

Bills in Committee.

"A Bill To amend the Franchise Act, 1859" and "A Bill To enable the Districts of Cowichan and Comox to elect Members to the House of Assembly."

Dr. Powell in the chair.

The Chairman reported in regard to the first The Bill complete as amended. In regard to the second Progress and ask leave to sit again.

Ordered that reports be agreed to respectively and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 12th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cunningham, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

On motion of Mr. Duncan, seconded by Mr. Dennes, Ordered "That an humble address be presented to His Excellency the Governor praying that he will cause to be laid upon the table of this House all papers connected with the late action of 'H. M. S. Clio' at Fort Rupert."

On motion of Mr. De Cosmos, seconded by Mr. McClure Ordered "That an humble address be presented to His Excy. The Governor praying him to instruct the Departments to furnish the Finance Committee with any information required respecting the Estimates and Financial Affairs of this Colony."

Read 2o. and committed.

"A Bill Entitled The Harewood Railway Co.'s Extension Act, 1866."

The Order of the Day—viz. "Committee of Supply" having been read.

Mr. Speaker left the Chair.

Dr. Trimble was called to the Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported progress and asked leave to sit again; also that he (Dr. Trimble) had been elected Chairman of Ways and Means.

Ordered that report be agreed to.

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 15th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Cunningham, De Cosmos, Dickson, Duncan, McClure, Dennes, Powell, Trimble.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion "That he would at next meeting of the House move that in the absence of a responsible Ministry this House will assert and maintain its right to initiate and alter Money Bills" which Notice was postponed from the 29th Novr. 1865.

Mr. Cochrane gave Notice of Motion for leave to introduce "A Bill for the Registration of Cattle Brands."

On motion of Mr. De Cosmos, 2nded by Dr. Dickson "A Bill Entitled An Act respecting Ferries" was read 1o.

On question proposed and put that "A Bill Entitled An Act to amend the Franchise Act 1859" be now read 3o. The House divided.

Ayes: 7.

Messrs. De Cosmos
McClure
Carswell
Dennes
Cunningham
Duncan
Trimble

Noes: 4.

Messrs. Ash
Powell
Cochrane
Dickson

The Bill was then read a 3rd time and passed.

Order of the Day—Committee of Supply.

The Chairman of Ways and means in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 16th day of January, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cunningham, Carswell, De Cosmos, Dickson, Dennes, Duncan, McClure.

The last minutes having been read and confirmed.

Order of the Day.

The House went into Committee of the whole to take into consideration A Resolution (29th Novr.) "That in the absence of a responsible Ministry this House will assert and maintain its right to initiate and alter Money Bills."

Mr. Dennes in Chair of the Committee.

The Chairman reported that he had been ordered to report A Resolution "That this House has an undoubted constitutional right to originate, initiate, and alter Money grants without any recommendation from the Executive of the Colony."

Mr. Cunningham presented a Petition from the Agent of the Vancouver Coal Co. opposing the Petition and Bill of the Harewood Railway Co. (Lim.) to enlarge the time limited under the "Harewood Railway Co. (Lim.) Act, 1864."

Ordered to be referred to Committee of the whole House.

Bills in Committee.

The Harewood Railway Cos. Extension Act, 1866.

The Representation Extension Act, 1866.

Mr. Dennes in the Chair.

The Chairman reported, In regard to the first The Bill complete without amendment. In regard to the second The Bill complete as amended.

Ordered "that reports be agreed to respectively."

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 17th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cunningham, De Cosmos, Dennes, Duncan, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 3) was read from H. Excy. The Governor acknowledging receipt of An Address of this House (12th Inst.) praying H. Excy. "to instruct the Departments to furnish the Finance Committee with any information

required respecting the Estimates and financial Affairs of this Colony"—stating "that the Colonial Secretary had been instructed to furnish any verbal information that may be required in reference to the Estimates now before the House, and that any further information which may be required will be furnished on application through the usual and recognized Channel."

Also A Communication (No. 4) from H. E. The Governor acknowledging receipt of An Address of this House (12th Inst.) in re "the late Action of 'H. M. S. Clio' and stating 'that there are not any papers on this subject which His Excellency is enabled to lay before the Legislative Assembly.'"

Ordered "to lie on the table."

Notices of Motion.

Mr. Cunningham "To move at next meeting of the House that A respectful Address be presented to H. E. The Governor praying that the Chief Justice may hold Quarterly a Session of the Inferior Court of Civil Justice at Nanaimo."

Mr. Dennes "To move at next meeting of the House for leave to introduce a Bill to prevent unqualified Persons from drawing Conveyances."

Mr. Duncan "To move at an early date for leave to introduce 'A Bill to preserve and regulate Rights of Ways and Public Reserves.'"

Bill read 3o. and passed.

A Bill [entitled] The Representation Extension Act 1866.

On question proposed that "'The Harewood Railway Cos. Act 1864 Extension Act 1866' be read 3o." Mr. Cunningham moved An Amendment, 2nd by Dr. Trimble "That the Bill, with the Counter Petition of the 'Vancouver Coal Co.' be referred to a Select Committee."

The House then divided.

For Mr. Cunningham's Amendment

Ayes: 6.

Messrs. Cunningham

Trimble

Dennes

Dickson

Powell

McClure

Against the Amendment

Noes: 4.

Messrs. Ash

Carswell

De Cosmos

Duncan

Ordered that the Select Committee consist of 3 Members.

Ordered that Messrs. Cunningham, Dennes, Ash, be the Committee in re the above.

The House then took under consideration and confirmed A Resolution reported from Committee of the whole House yesterday "That this House has an undoubted Constitutional Right to initiate and alter money grants without any recommendation from the Executive of the Colony."

The House then went into "Committee of Supply."

The Chairman of Ways and Means in the Chair.

The Chairman reported that the Committee had ordered him to report progress and ask leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken.
Speaker

Friday, the 19th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Dennes, De Cosmos, Dickson, Cunningham, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Mr. De Cosmos rose to a question of Privilege, to correct a mis-statement made in the Chronicle Newspaper in its report of a speech made by him in Committee upon the "Harewood Railway Cos. Extension Act, 1866."

Dr. Dickson rose to a question of Privilege, to correct a mis-statement made in the "Colonist" Newspaper in its report of a Speech made by him in the same debate.

Notices of Motion.

Dr. Ash "that on an early day he would ask leave to bring in 'A Bill to amend the Franchise Act.'"

Mr. Cunningham "that on an early day he would ask leave to bring in 'A Bill to incorporate Nanaimo.'"

Mr. Cunningham, from the Select Comtee. appointed by the House to take into consideration the Petition of the "Vancouver Coal Co." against the "Harewood Railway Cos. Extension Act, 1866" reported "that the Committee having heard the arguments adduced by the Counsel for the Petitioners against, as well as for the Promoters of the said Bill begged to report in favor of the Bill."

On motion of Mr. Dennes, 2nded by Mr. Duncan Leave granted to bring in "A Bill To prevent unqualified persons from drawing conveyances."

Read 3o. and passed.

The Harewood Railway Cos. Extension Act, 1866.

A Communication (No. 5—18th Jany. 1866) from H. E. The Governor was read transmitting Copy of a Despatch from the Rt. Honble. the Secty. of State for the Colonies (No. 57, 11th Oct. 1865) on the subject of the Postal Establishment of this Colony.

The Order of the day, viz.: "Committee of Supply" having been read.

Mr. Speaker left the Chair.

The Chairman of "Ways and Means" in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of Supply begged to report progress and asked leave to sit again.

Ordered "that report be received and leave granted."

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker

Monday, the 22nd day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cunningham, Cochrane, Dennes, De Cosmos, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

The order of the Day, viz.: "Committee of Supply" having been read.

Mr. Speaker left the Chair.

Mr. Chairman of Ways and means in Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that he had been ordered to report progress and ask leave to sit again.

Ordered "that report be received and leave granted."

The House then adjourned till Wednesday at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 24th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cunningham, Dennes, Dickson, De Cosmos, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication¹⁵ was read from H. E. The Governor on the subject of a Proposal which had been made to H. Excy. for carrying the Mails between this Colony & San Francisco.

On motion of Mr. De Cosmos, 2nded by Dr. Dickson—Ordered “That the House be cleared of Strangers.”

The House then took under consideration H. Excy.s Communication (above) and Resolved “That this House having had under consideration the Verbal Communication of H. E. The Govr. respecting a proposition from Captn. Thorne to place the Steamer ‘Active’ on the Route between San Francisco and New Westminster calling at Victoria on the up and down trip and making three trips in two months @ \$1500 per trip are of opinion that it is inexpedient to subsidize a Steamer on the conditions proposed by Cap. [Charles] Thorne inasmuch as this House is not disposed to grant any subsidy to a Steamer running between San Francisco & New Westminster, viâ Victoria.”

Ordered “That a Deputation consisting of three Members, viz.: The Honble. Speaker, Messrs. De Cosmos, and Trimble, wait upon H. E. The Governor to explain the view of this House on the above subject.”

Mr. De Cosmos presented a Petition from the Mayor and Corporation of the City of Victoria on the subject of “The Church Reserve.”¹⁶

On motion of Mr. De Cosmos, 2nded by Dr. Dickson “That the Petition be taken into consideration, with other Petitions recently laid before the House, at next Meeting.”

The Committee divided.

Ayes: 4.

Messrs. Cunningham
Dickson
McClure
De Cosmos

Noes: 6.

Messrs. Ash
Powell
Duncan
Dennes
Carswell
Trimble

On motion of Mr. Duncan, 2nded by Dr. Powell “That a Select Committee on Petitions be appointed to examine and report upon the present as well as recent Petitions laid upon the table of this House.”

The Committee divided.

Ayes: 6.

Messrs. Ash
Carswell
Dennes
Duncan
Powell
Trimble

Noes: 4.

Messrs. De Cosmos
Cunningham
McClure
Dickson

The Resolution was therefore carried and it was Ordered That Messrs. De Cosmos, Duncan, Trimble be the Committee.

¹⁵ The communication to the Speaker, marked private, is dated 23 January 1866, requesting a committee of the House to meet with the Governor before 3 o'clock Wednesday, 24 January. Vancouver Island, House of Assembly, Returns, Messages, etc., to House, PABC (hereafter cited as Returns to House).

¹⁶ The petition is in the *Colonist*, 23 January 1866.

Ordered "That 'an Act respecting Ferries' be printed."

Notices of Motion.

Mr. McClure at next meeting of the House to move that the Standing Orders of the House be suspended at any time during the present Session by a vote of the Majority, without the usual days notice.

Dr. Ash at an early day to move for leave to bring in "A Bill to amend the Representation Act."

Mr. Duncan at next meeting to move An Address to H. E. for copy of the Despatch transmitted to the Colonial Office—in re the Postal System of this Colony.

Order of the Day.

The House then went into "Comtee. of Supply."

The Chairman of "Ways and Means" in Chair.

Mr. Speaker resumed the Chair.

On question Ordered to be referred to him from the Comtee. and Ruled "That according to precedent Notice of Motion must be given upon questions involving the introduction of new matter into the Estimates—but that such Notice may be given in Comtee. of 'Ways and Means.'"

Mr. Speaker then left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee had ordered him to report progress and ask leave to sit again.

Ord. that report be agreed to.

The House then adjourned till Friday.

J. S. Helmcken
Speaker

Friday, the 26th day of January, 1866

The House met at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, Dennes, Duncan, Dickson, McClure, Powell, De Cosmos, Cunningham, Trimble.

The last minutes having been read and confirmed.

A Communication was read from H. E. The Governor (No. 6) transmitting

(1) Returns of persons tried in Victoria for selling or giving Spirits &c. to Indians from 30 Sept. 1864 till 30th Novr. 1865.

(2) Returns relative to other offences for the like period.

(3) A Return of the cost of maintenance of Prisoners. in compliance with An Address from this House, dated 11th Decr. /65.¹⁷

Ordered "that the above Returns be printed."

¹⁷ Returns to House, 25 January 1866.

On motion of Mr. Dennes, 2nd by Mr. De Cosmos—Read 1o. “An Act to prevent unqualified persons from drawing conveyances.”

On motion of Mr. Cunningham, 2nded by Mr. De Cosmos Leave granted to introduce A Bill to incorporate the town of Nanaimo.

On motion of Mr. Duncan, 2nded by Dr. Dickson, Ordered “That an humble Address be presented to H. Excy. the Governor praying him to cause to be laid on the table of this House a copy of the Despatch transmitted to the Colonial Office respecting the Establishment of a Postal System in this Colony.”

On motion of Mr. McClure, 2nded by Dr. Dickson—“That the standing Orders of this House be suspended at any time during the present Session by a Vote of the Majority of the House then present without the usual days Notice.”

Mr. Cochrane, 2nded by Dr. Powell, moved An Amendment “to leave out after the word ‘that’ to the end of the sentence in order to insert the words ‘the Standing Orders be suspended only upon a Vote of the Majority equal to two thirds of the Members present.’”

Question put “That the words proposed to be left out stand part of the question.”

Ayes: 7.

Messrs. McClure

De Cosmos

Dickson

Carswell

Cunningham

Trimble

Dennes

Noes: 3.

Messrs. Cochrane

Duncan

Powell

On motion of Mr. Cunningham, 2nd by Mr. Cochrane A Resolution “That a respectful Address be presented to H. Excy. The Governor praying that the Chief Justice may hold quarterly a Session of the Inferior Court of Civil Justice at Nanaimo was ‘Ordered to be referred to Committee of Supply.’”

The House then went into Committee of Supply.

Mr. Speaker left the Chair.

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the Chair upon a Resolution sent up from the Committee of Supply.

The Chairman reported a Resolution “That the Committee rise and ask the House to suspend the Rules of this House in order that the Committee and the House may be able to expedite the passage of the Estimates through the House.”

The Rules of the House were then ordered to be suspended.

The House again resolved itself into Committee of Supply.

Mr. Speaker left the Chair

The Chairman of Ways and Means in the Chair.

Mr. Speaker resumed the chair.

The chairman reported that the Committee having had under consideration the question of Supply had voted therein a Sum for the use of Her Majesty; the Chairman also reported a Resolution that a humble Address be presented to His Excellency the Governor praying that the Chief Justice may hold quarterly a Session of the Inferior Court of Civil Justice of Vancouver Island, at Nanaimo.

The Standing Orders having been suspended—it was Ordered “that the reports be received respectively.”

Dr. Dickson then moved that the Estimate affecting the Offices of Harbor master, Post-master, and Treasurer be recommitted.

Agreed to.

On question moved by Dr. Trimble, seconded by Mr. Dennes, “That the Estimate affecting the office of Stipendiary Magistrate of Victoria be recommitted,” The Committee divided.

Ayes: 3.

Messrs. Trimble
Dennes
Carswell

Noes: 4.

Messrs. McClure
De Cosmos
Cunningham
Dickson

The motion was therefore lost.

Mr. McClure moved that the Estimate for “the Female Teacher Victoria School” be recommitted.

Agreed to.

Mr. McClure moved that the Estimate “for Repairs and additions to Buildings” be recommitted.

Agreed to.

Mr. Cunningham moved that the Estimate “for Rent of School Houses” be recommitted.

Agreed to.

Dr. Dickson moved that the Estimate for “Contribution to Victoria Hospital” be recommitted.

Agreed to.

Mr. McClure moved that the Estimate for “Clothing for Constables” be recommitted.

Agreed to.

Mr. Cunningham moved that the Estimate for “Travelling Expenses of Officers, Police and others on duty” be recommitted.

Agreed to.

Dr. Dickson moved that the Estimate for “conveyance of Mails between Victoria and British Columbia” be recommitted.

Agreed to.

Mr. McClure moved that the Estimates for Works & Buildings "Tower at Race Rock Light House for Fog Bell" be recommitted.

Agreed to.

Mr. De Cosmos moved that the Estimate—Contribution to Victoria Fire Department be recommitted.

Agreed to.

Mr. Cunningham moved that the Estimate for "The Private Secretary of the Governor" be recommitted.

Agreed to.

Mr. Cunningham moved that the Estimate for "Expenses connected with Indians" be recommitted.

Agreed to.

On motion of Mr. De Cosmos, seconded by Dr. Dickson, Resolved "That the Standing Orders be suspended and the House adjourn for a Recess of a quarter of an hour."

The House, being again met, resolved itself into "Committee of Supply" upon the recommitted Estimates.

Mr. Speaker left the Chair.

The Chairman of Ways and means in the Chair.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having had under consideration the question of supply had Resolved that a sum of Two Hundred and two thousand and sixty three dollars & eighty two Cents (\$202,063.82) be granted for the use of Her Majesty.

NO. 1. ESTABLISHMENTS DETAILED

	Fixed	Provisional and Temporary	Contingen- cies	Total
<i>His Excellency the Governor</i>				\$ ¢
Governor—Provided out of Crown Revenue	500.			
Messenger	500.			500.
<i>Legislative Council</i>				
Clerk.	500.			
Fuel, light, and petty expenses	500.		150.	
	500.		150.	650.
<i>Legislative Assembly</i>				
Clerk	1700.			
Resolution "That in addition to his present duties the Clerk of the House of Assembly shall audit the public Accounts of the Colony."				
Messenger	300.			
Fuel, light and petty expenses			250.	
	2000.		250.	2,250.

NO. 1. ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingen- cies	Total
<i>Colonial Secretary</i>				\$ ¢
Colonial Secretary—Provided out of Crown Revenue				
Chief Clerk.	1000.		100.	
Petty Expenses	1000.		100.	1100.
<i>Treasurer</i>				
Treasurer	1700.			
Assessor				
See Restns. Assistt. or Actg. Surveyor General	1700.			1700.
<i>Auditor</i>				
Restn. "That in addition to his present duties the Clerk of the House of Assembly shall audit the public Accounts of the Colony."				
<i>Surveyor General</i>				
Restn. "That the Committee are of opinion that it is inexpedient to fill up the Office of Surveyor General at present."				
Assistant or Acting Surveyor General Assessor and Superintendent of Roads	1700.			
Restn. "That the duties of the Surveyor General shall be performed by the Assistant or Acting Surveyor General who shall also discharge the duties of Assessor and Superintendent of Roads and the salary of said offices shall be \$1700. per annum."				
Restn. "That the Acting Surveyor General shall be Secretary of the Lighthouse Board."				
Clerk	1200.			
Restn. "That the Clerk of the Assistant Surveyor General shall be Clerk of Works and Collector of Taxes and act as Deputy in the absence of the Assistant Surveyor General; that the Clerk of Works shall be Secretary to the Court of Revision and Trade Licenses."				
Master of Tug Steamer	1200.			
Engineer of do. do.	1091.25			
2 Stokers at \$60 per month each	1440.			
3 Crew „ \$45 do. do. do.	1620.			
Petty Expenses			250.	
Restn. "That the Steam Tug 'Sir James Douglas' be employed in carrying Mails Passengers and Freight on the Coast of this Island and its Dependencies under the direction of the Executive during 1866 that the said Steam Tug be insured forthwith."				
	8251.25		250.	8501.25
<i>Harbour Master and Post Master</i>				
Harbour Master and Postmaster Victoria.	1700.			
Restn. "That the Offices of Harbour Master and Postmaster be amalgamated and the Salary therefor be \$1700."				

NO. 1. ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingen- cies	Total
<i>Harbour Master and Post Master—Continued</i>				\$ c
Petty Expenses			200.	
Clerk to Postmaster	1455.			
Postmaster Nanaimo	300.			
Restn. "That the Postmaster of Nanaimo be Harbour Master and Collector of Harbour Dues with an additional Salary of \$500."			100.	
Petty Expenses, Mail Bags &c.				
	3455.		300.	3755.
<i>Registrar General of Deeds</i>				
Restn. "That the Registrar of the Supreme Court be also Clerk of Writs and that the duties of such office be discharged by the Registrar General of Titles of Real Estate and that the Salary be \$1700. per annum."				
<i>Light Houses</i>				
Commissioner and Secretary				
Restn. "That the Acting Surveyor General be Secretary of the Light-house Board."				
Light keeper Race Rocks	750.			
3 Assistants \$510 ⁸ / ₁₀₀ \$400 \$208 ⁰ / ₁₀₀	1118.92			
Light Keeper Fisgard	750.			
Assistant do. do.	100.			
Medical Officer	60.			
Petty Expenses			200.	
	2778.92		200.	2978.92
<i>Judicial</i>				
Chief Justice	5820.			
Registrar of Supreme Court Clerk of Writs & Registrar General of Titles of Real Estate	1700.			
Restn. "That the Registrar of the Supreme Court be also Clerk of Writs and that the duties of such Officer be discharged by the Registrar General of Titles of Real Estate and that the Salary be \$1700 per annum."				
Clerk.	1000.			
Restn. "That the Clerk be Deputy Registrar General in all matters connected with his Department at a Salary of \$1000. per annum."				
Messenger	600.			
Attorney General		1455.		
Restn. "That no fees be allowed to the Acting Attorney General and that the Salary of the Acting Attorney General be Provisional and Temporary."				
Sheriff and Governor of the Gaol	1000.			
Restn. "That the Sheriff in addition to his present duties be Governor of the Gaol."				
Stipendiary Magistrate & Superintendent of Police	1750.			
Restn. "That the Stipendiary Magistrate of Vic- toria be transferred by Act to the Municipal- ity of Victoria with a Salary at \$1750. per				

NO. 1. ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingen- cies	Total
<p><i>Judicial—Continued</i></p> <p>annum payable out of the Civic Revenue Provided always that it shall be competent for the City Authorities to determine whether such Stipendiary Magistrate shall be con- tinued or not and Provided also that the office as it at present stands subject to the salary of \$1750. per annum shall be retained until a new 'Incorporation Bill' shall have been passed."</p> <p>Restn. "That the Stipendiary Magistrate be Superintendent of Police subject to the Reso- lution of the House as regards the Stipen- diary Magistrate."</p> <p>Clerk to do. do.</p> <p>Restn. "That the Clerk be retained subject to the same Restn. as the Stipendiary Magis- trate for Victoria."</p> <p>Petty Expenses</p>	1000.		300.	\$ ¢
	12870.	1455.	300.	14625.
<p><i>Police</i></p> <p>Superintendent</p> <p>Restn. "That the Stipendiary Magistrate be Superintendent of Police subject to the Reso- lutions of the House as regards the Stipen- diary Magistrate Victoria."</p> <p>Inspector</p> <p>Restn. "That the Police Department of Victoria be placed under the control of the Corpora- tion of Victoria; that the Salaries of such Department be paid out of the City Revenue and that until such transfer shall have been made the following shall constitute the num- ber of paid Police payable out of the General Revenue with their grades and Salaries."</p> <p>1 Sergeant at \$75. per month</p> <p>5 Constables at \$2. per diem each</p>	1200.			
	900.			
	3650.			
	5750.			5750.
<p><i>Gaols</i></p> <p>Gaoler</p> <p>Superintendent of Convicts</p> <p>Medical Officer and Attendance</p> <p>3 Warders at \$1.75¹⁰⁰ per diem each</p> <p>3 Warders at \$1.50¹⁰⁰ " " "</p> <p>Cook at \$1.50¹⁰⁰ per diem</p> <p>Petty Expenses</p>	1000. 800. 500. 1916.25 1642.50 547.50		200.	
	6406.25		200.	6606.25
<p><i>Education</i></p> <p>Superintendent.</p> <p>Teacher of Victoria School</p> <p>Asst. Teacher do. do.</p> <p>Restn. "That the Salary of the Assistant Teacher of Victoria School be \$1000."</p>	1500. 1200. 1000.			

NO. 1. ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingen- cies	Total
<i>Education—Continued</i>				\$ ¢
Female Teacher Victoria School	1000.			
Restn. "That the Salary of the Female Teacher of Victoria School be \$1000."				
Teacher of Victoria District School	1200.			
" " Craigflower School	1000.			
" " Nanaimo	1000.			
Female Teacher do	600.			
Teacher Esquimalt	500.			
" Cedar Hill	750.			
Restn. "That the Salary of the Teacher at Cedar Hill be \$750."				
Teacher Lake	500.			
" Saanich	500.			
" Cowichan	500.			
" Salt Spring and Chemainus	500.			
Restn. "That \$500. be voted for a School Teacher at Salt Spring Island and Che- mainus."				
Teacher Sooke	500.			
Restn. "That \$500. be voted for a School Mas- ter at Sooke."				
Teacher Metchosin	500.			
Restn. "That \$500. be voted for a teacher for Metchosin District."				
	12750			12750.
Volunteer Companies				
Drill, Instruction, &c.	1000.			
Petty Expenses, Targets, &c.			250.	
	1000.		250.	1250.

	Salaries		Contingen- cies	Total
	Fixed Establish- ments	Provisional and Temporary		
<i>1. Recapitulation of the foregoing Establishments</i>	\$ ¢	\$ ¢	\$ ¢	\$ ¢
Civil Establishments				
The Governor	500.			500.
Legislative Council	500.		150.	650.
Legislative Assembly	2000.		250.	2250.
Colonial Secretary	1000.		100.	1100.
Treasurer	1700.			1700.
Surveyor General	8251.25		250	8501.25
Harbour Master and Postmaster	3455.		300.	3755.
Lighthouses	2778.92		200.	2978.92
Judicial Establishment	12870	1455.	300.	14625.
Police do.	5750			5750.
Gaols do.	6406.25		200.	6606.25
Education	12750.			12750.
Volunteer Companies	1000.		250.	1250.
Total Establishments	58961.42	1455.	2000.	62416.42

EXCLUSIVE OF ESTABLISHMENTS

		Total
2. Pensions		\$ c
To David Cameron retired Chief Justice	2425.	
Total		2425.
4. Colonial Secretary		
Stationery for Public Offices	250.	
Fuel and Light for do. do.	300.	
Printing Acts of Legislature	1000.	
Total		1550.
3. Legislative Assembly		
Printing	500.	
Total		500.
5. Assessor		
Restn. "That the Clerk of Works be Secretary to the Court of Revision for Real Estate & Trades Licenses."		
6. Surveyor General		
Fuel and Stores for Steam Tug	3,600.	
Stores for keeping Machinery of Dredger in order	100.	
Total		3700.
7. Harbour Master		
For repairing and placing Buoys in Victoria and Nanaimo Harbours, Painting— do. do.	400.	
See Restn. "Postmaster Nanaimo."		
Total		400.
8. Postmaster		
Postmaster, Harbour Master, and Collector of Harbour Dues, Nanaimo.	500.	
Restn. "That the Postmaster of Nanaimo be Harbour Master and Collector of Harbor Dues with An Additional Salary of \$500."		
Occasional Assistance to expedite delivery of Letters	250.	
Total		750.
9. Administration of Justice		
Expenses of Witnesses.	150.	
Criminal Punishments.	100.	
Interpreters and other expenses	50.	
Expenses of Inquests (including Coroners Fees)	800.	
Total		1100.
10. Education		
For School House at Nanaimo	1500.	
„ Repairs and Additions to Buildings	500.	
Books, Petty Expenses &c.	800.	
Rent of School Houses	1080.	
Total		3880.
11. Charitable Allowances		
Restn. "That a Committee be appointed to take into consideration the desirability of making provision for the Orphan Children of Vancouver Island."		

EXCLUSIVE OF ESTABLISHMENTS—*Continued*

		Total
12. <i>Hospitals</i>		
Contribution to Victoria Hospital	8000.	\$ c
Restn. "That the contribution to Victoria Hospital be increased to \$8000; that the Comtee. are of opinion that \$3000. due to the Royal Hospital should be paid forthwith."		
Total		8000.
13. <i>Police</i>		
Clothing for Constables	800.	
Restn. "That it is inexpedient to supply the Police with Clothes in as much as their wages have been increased, and that it is desired to sell the Clothing imported for the Police to the Municipal Government if required."		
Fuel Water and Light	100.	
For occasional necessary employment of special Constables in outlying Districts	500.	
Total		1400.
14. <i>Gaols</i>		
Provisions for Prisoners	2700.	
Clothing for Prisoners	900.	
Fuel, Water and Light	600.	
Bedding and Utensils	250.	
Tools and Implements	150.	
Arms and Ammunition	25.	
Repairing Lock up at Nanaimo	100.	
Restn. "That the Sum of \$100. be voted for repairing the Lock up at Nanaimo."		
Total		4725.
15. <i>Rent</i>		
Ground Rent Government House	81.90	
Rent of Harbour Masters Office, Victoria	330.	
" " Post Office, Victoria	330.	
Restn. "That steps be taken immediately to remove the Harbour Master and Postmasters office to a safer Building in a more central & commodious situation."		
Rent of Gaol Nanaimo	100.	
Total		841.90
16. <i>Transport</i>		
Travelling Expenses of officers, Police, and others on duty	500.	
Conveyance of Prisoners from outlying Districts to Victoria Gaol	150.	
Total		650.
17. <i>Conveyance of Mails</i>		
Between Vancouver Island and San Francisco	30,000.	
" Victoria and Saanich	300.	
" " " British Columbia	1000.	
Total		31,300.

EXCLUSIVE OF ESTABLISHMENTS—*Continued*

		Total
18. <i>Works and Buildings</i>		\$ c
General Repairs to Buildings	150.	
Total		150.
19. <i>Roads, Streets and Bridges</i>		
Repairs of existing Roads	1,000.	
James' Bay Bridge, New Piling and Repairs unexpended in 1865	250.	
For making a Road from Cooks to Metchosin	300.	
Restn. "That \$300. be voted for making a Road from Cooks to Metchosin."		
Comox Road through settlement and Bridge at Greens Landing	1500.	
For Construction of A Bridge across Nanaimo Ravine	1000.	
Restn. "That the Sum of \$1000. be voted for the construction of A Bridge across Nanaimo Ravine."		
Waggon Road, 12 feet wide, between Gold Stream and Saywards Saw Mill Shawnigan, thence to Nanaimo	25,000.	
Restn. "That a Waggon Road, 12 feet wide, with the necessary Corduroying and Bridging be constructed as early as possible the present year between Goldstream and Saywards Saw Mill, Shawnigan, and thence to Nanaimo, such line of road to be laid out so as to afford as much accommodation as possible to the intervening Agricultural districts and that \$25,000. be voted for the said purpose: that the expenditure for such Road shall not be raised from taxation levied during the present year but from funds raised by loan or bonds not payable before the expiration of 5 or more years or by issuing Exchequer Bills drawing Interest."		
Completion of Road to Sooke Stream Saw Mill, viâ the head of the Harbour including A Bridge across Sooke River		3000.
Restn. "That the sum of \$3000. be appropriated for the completion of the Road to Sooke Stream Saw Mill, viâ the head of the Harbour which would include A Bridge across the Sooke River and not to be raised out of the general taxes."		
For making Roads in Salt Spring Island.		500.
Restn. "That \$500 be voted for making Roads in Salt Spring Island such Roads to be made in connexion with the Mail Steamer Route, not to be paid out of the General Revenue."		
Saanich Road in Lake District		2500.
Restn. "That \$2,500 be appropriated for the Saanich Road in the Lake District."		
Saanich Road from Macdonalds to Peter Linds		3000.
Restn. "That \$3000. be voted for the Saanich Road from Macdonalds to Peter Linds."		
Improvement of Metchosin Road		3000.
Restn. "That \$3000. be appropriated for the improvement of Metchosin Road."		
Burnside Road		3000.
Restn. "That \$3000. be appropriated for the Burnside Road"		

EXCLUSIVE OF ESTABLISHMENTS—*Continued*

		Total
19. <i>Roads, Streets and Bridges</i> —Continued		\$ c
Construction of a Road from Cedar District to Nanaimo.		1500.
Restn. "That the sum of \$1500. be voted for the construction of a Road from Cedar District to Nanaimo."		
Restn. "That the construction and repairing of all Roads voted for by this Committee shall be paid subject to the same arrangement as that mentioned in the Resolution providing for the construction of a trunk Road to Nanaimo."		
Total		\$45,550.
20. <i>Lighthouses</i>		
Provisions and fuel		1600.
Stoves		1000.
Construction of Boat for Race Rocks		250.
Restn. "That \$250. be appropriated for the construction of a Boat for the use of the Lightkeeper, Race Rocks."		
Total		\$2850.
21. <i>Miscellaneous Services</i>		
Revising Lists of Voters		100.
Sheriff expense of making lists of Voters		125.50
Contribution to Victoria Fire Department		3,000
Restn. "That \$1000. due to the Fire Department be paid forthwith."		
Insurance of Government Buildings & Property		1,000
Contribution to Agricultural Society		500.
Premium for the erection of a flour mill		1250.
Total		5975.50
22. <i>Interest and Sinking Fund</i>		
Interest on Road and Harbour Loan, 1862, £40,000 @ 6 per cent.		11640.
Interest on temporary Loans		2000.
Sinking fund on loan		7760.
Total		21400.00
23. <i>Drawbacks and Refunds</i>		
Drawbacks		1500.
Refunds		500.
Total		2000.
24. <i>Immigration</i> Nil.		
25. <i>Indians</i>		
Expenses connected with Indians		500.
Total		500.

The Chairman also reported A Resolution "that an humble Address be presented to His Excellency the Governor praying that the Chief Justice may hold quarterly a Session of the Inferior Court of Civil Justice at Nanaimo."

Also A Resolution "that the Committee is of opinion that the three thousand (\$3000.) dollars due to the Royal Hospital and the one thousand dollars (\$1000.) due to the Fire Company should be paid forthwith."

The Standing Orders having been suspended it was Ordered that reports be received respectively.

The Standing Orders having been suspended it was Ordered "That the Report of the Committee of Supply be read 1o. and agreed to."

The Standing Orders having been again suspended, it was Ordered "That the Report of the Committee of Supply be read 2o. and confirmed."

Ordered "that Bills be brought in accordingly."

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 29th day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cunningham, De Cosmos, Dennes, Dickson, Duncan, McClure, Trimble.

The last minutes having been read and confirmed.

Ordered "That Messrs. De Cosmos, Dickson, Trimble, be a Committee to draft Bills of Supply."

On motion of Mr. Duncan, 2nded by Dr. Trimble "That leave be granted to introduce 'A Bill To preserve and regulate Rights of Ways and Public Reserves.'"

The House divided.

Ayes: 3.

Messrs. Duncan
Trimble
Carswell

Noes: 5.

Messrs. Cunningham
De Cosmos
Dennes
Dickson
McClure

The motion was therefore lost.

On motion of Mr. De Cosmos, 2nded by Mr. McClure, Ordered "that a copy of the sums granted & the Resolutions passed in Committee of Supply respecting the amalgamation of offices named or introduced into the Estimates be prepared and transmitted to the Executive."

Ordered "that Friday next be appointed for the House to go into Committee of 'Ways and Means.'"

The House then adjourned till Wednesday.

J. S. Helmcken
Speaker.

Wednesday, the 31st day of January, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, De Cosmos, Dennes, Dickson, Duncan, McClure, Trimble.

The last minutes having been read and confirmed.

Mr. Speaker informed the House that he had presented "a Copy of the Sums granted and the Resolutions passed in Committee of Supply respecting the amalgamation of offices named or introduced into the Estimates" to H. Excy. The Governor and that H. Excy. had been pleased to receive the same graciously.

A Communication (No. 7)¹⁸ was read from H. Excy. The Governor in reply to a Resolution of this House dated 26th January asking for a Copy of the Despatch transmitted to the Colonial Office respecting the Establishment of a Postal System in this Colony enclosing the Government Gazette of the 30th Jany. containing extracts from the said Despatch.

Ordered to lie on the table.

Read 2o. and committed.

An Act to prevent unqualified persons from drawing Conveyances.

An Act respecting Ferries.

The House then confirmed a Restn. reported from Committee of Supply viz.: "That a Comtee. be appointed to take into consideration the desirability of making provision for the Orphan Children of Vancouver Island"—And Ordered that Messrs. Carswell, Duncan, Powell be a Comtee. in re the above Restn.

The House also confirmed A Resolution reported from Comtee. of Supply, viz.: "That the Committee is of opinion that the (\$3000.) three thousand Dollars due to the Royal Hospital and the (\$1000.) One thousand Dollars due to the Fire Company should be paid forthwith."

Mr. De Cosmos from the select Committee on Petitions reported that the Committee having had under consideration the Petitions referred to them by the House, viz.:

The Petition of C. B. Young and others for compensation in re The Fisheries of the Colony. Decr. 8th 1865.

The Petition of the Chamber of Commerce praying for the repeal of the "Stock and Carcass Act, 1865" and such portion of the "Harbour Dues Amendment Act, 1865" as applies to the collection of $\frac{1}{2}$ of 1 per ct. on imports—praying also for the passing of An Act which shall require that persons applying for "Writs of Ne exeat regno" and "capias ad respondendum" shall give bonds for double the amount of their claims—and for the passing of An Act enabling absent debtors to be served with notices by publication instead of personally. Decr. 12th 1865.

¹⁸ Messages to House, 31 January 1866.

The Petition of the "Licensed Victuallers" of Victoria District praying that they may be placed in the same category as the country "Licensed Victuallers." Jany. 3rd 1866.

The Petition of the Mayor and Council of the City of Victoria praying the House to adopt measures for the recovery of the right of the City to the Church Reserve. Jany. 23rd 1866.

[De Cosmos] Begged to report in regard to the first

That the Petitioner Charles Bedford Young for himself and others did carry out as far as practicable the Restn. of the House and this Committee are of opinion that some compensation should be allowed to the Petitioner.

Ordered to be referred to Comtee. "Ways & Means."

In regard to the second, a Resolution.

That in relation to that part of the Petition of the Chamber of Commerce which states that the laws recently enacted imposing duties on certain imports have impaired the integrity of the Free Port and have been extremely detrimental to the interests of the Colony in their effects—the Committee, on enquiry, find that no law has been passed imposing duties on imports into Vancouver Island—And further that the Comtee. considers it inexpedient to repeal the Stock and Carcass Act, 1865 and such portion of the Harbour Dues Amendment Act 1865 as applies to the Collection of a Permit of $\frac{1}{2}$ of 1 per ct. on imports.

Ord. to be referred to Committee "Ways and Means."

Also A Resolution "That in as much as the Honble. House of Assembly has taken Action with respect to abolishing Imprisonment for Debt it is unnecessary for this Comtee. to report to the House respecting that part of the Petition of the Chamber of Commerce concerning Imprisonment for Debt."

Restn. agreed to.

Also "in relation to that part of the Petition of the Chamber of Commerce having reference to Creditors—heavy expenses have been incurred from the impossibility, according to the present law, of proper legal notices being served upon debtors leaving or absent from the Colony, such Notices being required to be served personally, that this Committee would recommend that a Bill be introduced to carry out the views of the Petitioners."

In regard to the 3rd.

A Restn. "That in respect to the Petition on Liquor Licenses the Comtee. deem it necessary that the Petition should be referred to the Committee of 'Ways and Means', and furthermore consider that a reduction in the retail licenses between the boundaries of Victoria City and Esquimalt Town should be reduced to the sum of Fifty Dollars and that the same amount be charged to others residing in any direction within three miles of Victoria City and Nanaimo."

Referred to Comtee. "Ways & Means."

In regard to the 4th.

A Restn. "That with regard to the Petition of the Mayor and Council of Victoria respecting the Church Reserve, the Comtee. recommend that a Committee be appointed to take all matters concerning the Church Reserve into

consideration and report to this House as soon as possible; and that such Comtee. be empowered to send for persons and papers and records—and further that such Comtee. be instructed to report their observations and suggestions with a view to the final adjustment of the question.”

Resolution adopted.

Ord. “that Messrs. Ash, Cochrane, Dennes, Dickson, Trimble be a Comtee. in re the above.”

Ordered that a Comtee. of 3, Messrs. McClure, Cunningham, Duncan be appointed to draft A Bill embodying the Resolution agreed to by the House (above) in re The Petition of the Chamber of Commerce in the matter of the service of notice by publication instead of personally upon absent debtors.

Bills in Comtee.

“Mechanics Lien Act” and An Act respecting Ferries.

The Chairman reported that the Committee had ordered him to report the above Bills complete respectively without amendment.

Ord. that reports be received respectively.

Ord. “That House go into Comtee. Ways and Means on Friday 2nd Feb.”

J. S. Helmcken

Friday, the 2nd day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Ordered That leave be granted to Mr. Dennes to retire from the *Select* Committee to which was referred the question of the Victoria Church Reserve.

Ord. That Mr. De Cosmos be appointed thereupon, vice Mr. Dennes.

On motion of Mr. De Cosmos, 2nded by Mr. McClure Ord. “That the Standing Orders of this House be suspended in order that An Address respecting the removal of the Coroner be transmitted to His Excellency The Governor.”

The Standing Orders having been suspended—On motion of Mr. De Cosmos, 2nded by Mr. McClure Resolved “That His Excellency the Governor be requested to transmit without delay to this House copies of all documents showing the cause or causes which induced His Excellency the Governor to remove Jas. Dickson Esqre. M. D. from the Office of Coroner of Victoria Districts, Esquimalt, and the Districts adjacent thereto.”

On motion of Mr. Duncan, 2nd by Mr. McClure “That the Standing orders be suspended.”

The Standing orders were again suspended and it was Ordered “That a respectful Address be presented to His Excellency the Governor requesting

that he will cause to be laid on the table of this House An Account of the financial condition of this Colony with an account of the Moneys received from the various sources of Revenue also an Account of the Expenditure according to the various appropriations.

Dr. Powell gave Notice of Motion.¹⁹

Mr. Duncan „ „ „ „ ²⁰

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 5th day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment but on being counted it was found that there was not a quorum.

Present: Mr. Speaker and Messrs. Dennes, Duncan.

J. S. Helmcken
Speaker.

Tuesday, the 6th day of February, 1866

No House; Mr. Speaker not being able to attend.

Wednesday, the 7th day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

¹⁹ Motion Book, 1865-66, p. 32: "I give notice that on a future day I will ask leave to introduce a bill to encourage the establishment of Investment Savings Societies."

²⁰ Motion Book, 1865-66, p. 32: "On Monday first I shall move that a respectful address be presented to His Excellency requesting him to inform this House by what Authority those parties having property in front of the Harbour of Victoria have encroached by building some to the extent of 100 feet outside the limits of their property or beyond high water mark."

A Communication (No. 8) from His Excellency The Governor was read, as follows—

Vancouver Island
Government House.
Victoria, 2nd Feby. 1866

To the Honble. The Speaker and Members of the Legislative Assembly

Gentlemen,

I have the honor to acknowledge the receipt of a Resolution of the Legislative Assembly dated 29th Jany. 1866 "That a Copy of the sums granted and the Resolutions passed in Committee of Supply respecting the amalgamation of offices named or introduced into the Estimates be prepared and transmitted to the Executive." I have also to acknowledge the subsequent receipt of the document above referred to, by the hands of the Honorable the Speaker on the 31st January.

As regards those Salaries and Services which have been estimated for and disallowed by the Legislative Assembly I have already dispensed with the Services of fourteen Public Officers paid from General Revenue including two Stipendiary Magistrates, and it will be a consideration for the Legislative Assembly to fix the amount of compensation payable to those officers who have been hitherto borne on the fixed establishment of the Colony.

While I fully concur in the propriety of economy both in the number and Salaries of public offices I must point out the serious evils which may be expected to arise from leaving the greater part of the public establishments to be provided for by annual vote.

Party Spirit is apt to run high in small communities and questions respecting the remuneration of Public Servants are occasionally discussed rather with reference to personal feelings than to a calm consideration of the real interests of the community. Respectable officers cannot be obtained without some reasonable Assurance for the permanence of their Official incomes and the absence of such assurance must materially impair the efficiency and respectability of the public service and thus injuriously affect the public interests.

I think it highly injudicious to reduce the Salary of public offices so as to render it no longer an object of ambition to men of ability and respectable station to hold them, but whatever be the rate of remuneration deemed fitting by the Legislature, I think it absolutely necessary for all purposes of good Government that the salaries should be permanently granted.

I observe that the Legislative Assembly purpose to abolish the offices of Registrar General and Assessor. The Salaries of these officers are secured by Acts of the Legislature passed after full deliberation. Whether the Legislature acted wisely in creating those offices or assigning to them the remuneration which was determined upon it is not necessary for me to enquire, but it appears to be an obvious injustice to abolish offices accepted on condition of their permanence without making provision for compensation to the holders of them. Pending a repeal of the Acts before adverted to I apprehend the Salaries fixed by Law must continue to be paid.

It is undoubtedly within the province as it is the duty of the Representatives of the Inhabitants of the Colony to raise such An Amount of Revenue and grant such supplies as may be necessary to maintain the various public Establishments they may judge proper for the preservation of order, enforcement of the law, and other services required for the welfare of the community; but I must guard myself from concurring in some of the reductions which have been made on the estimated establishments, which will, I fear, prove the reverse of being true economy, if they have not more serious results.

I cannot consistently with my duty to the Crown and the people of this Colony refrain from noticing important innovations on the part of the Legislative Assembly in connexion with these Estimates. I observe that the Legislative Assembly have added a sum of about \$77,000.00 and various new offices to the Estimates submitted to them, thus (for the first time) usurping the functions of the Executive by originating and increasing items of public expenditure and creating new offices. I cannot too distinctly and decidedly express my dissent from this course. The power of both initiating and voting Supplies for Salaries and Services cannot with safety be conceded to any single branch of the existing Legislature of this Colony. Such a con-

cession on my part would be a virtual Surrender of all that it is my duty to guard. Such a course is unknown to the Constitution of Great Britain, and is a violation of those important constitutional principles requiring a strict separation of the Legislative from Executive functions.

I would have been glad to receive suggestions from the Assembly and to reconsider any case where there was an under-estimate for Salary or insufficient provision for a Service had such been offered to me, but the Action taken by the Assembly to increase these without reference to the Governor is altogether nugatory, in as much as it is my duty to prohibit public servants from receiving any grants of money or increases of Salary not initiated or authorised by the Governor. With the strongest desire consistent with my duty to meet the views of the Assembly, it is impossible for me to recognise their authority in matters purely administrative. The undivided responsibility of appointing and retaining fit and proper persons to fill the public offices of this Colony devolves upon the Governor, subject to the approval of Her Majesty, and it will therefore be my duty to make those appointments for which I am wholly and individually responsible without reference to any indication as to those officers who are expected to fill the consolidated offices.

I can see nothing but confusion likely to result from encroachments whether they proceed from the Executive or Legislative Branch of the Government. The present is a time when the utmost harmony of Action is required and this can only be attained by a strict observance of the line between the functions of the Legislature and those of the Executive Government.

Police The provision made for an Inspector, one Sergeant, and five Policemen for the whole of this Colony with a mixed European and American population of eight thousand, and ten thousand Indians is a virtual abolition of the establishment for all effective purposes. I have induced the Superintendent and Inspector to retain their offices for the present on the insufficient Salaries voted for inferior offices deeming this course absolutely necessary for the public safety.

Auditor. It is proposed to abolish the office of Auditor and that the duties be undertaken by the Clerk of the Legislature Assembly. I am unable to accede to this proposition. In doing so I should hand over to the Legislative Assembly, who are irresponsible, an important branch of the Executive for which I am responsible. The Auditor holds his Office under the Queen's Warrant, and however competent it may be to the Assembly to disallow the very inadequate Salary attached to this office of high trust, it is alike beyond the province of the Assembly or any other authority to deprive him of that office, or transfer it to another without Her Majesty's concurrence.

Unpaid Magistrates. The disallowance of the amount for contingent allowances under this head is an apparent economy which cannot be carried out. It cannot be expected that these Gentlemen can or will incur an actual outlay in addition to giving their time to the public service. I have now before me legitimate demands for actual outlay under this head which I have neither means nor authority to liquidate.

Coroner. Finding it impossible for me to combine the office of Magistrate with that of "Head of Police" I have transferred the duties of Coroner to the paid Magistrate of Victoria without fees—thereby affecting a saving without impairing the efficiency of the public service. Coroners Fees and Medical Fees together have increased from the sum of \$210. in the year 1862 to \$946. in the year 1864, being the last year for which the Accounts are audited.

Indian Police The reduction of the Police Force will involve that of the Indian Police which I contemplated to increase, with every prospect of Public Advantage—and the important settlement of Nanaimo with a population of about 800 exclusive of Indians will be left without a Peace officer of any kind.

Private Secretary. The performance of the duties devolving upon the Private Secretary are essential to the efficient carrying on of the public business.

Chief Justice. The disallowance of the unimportant sum of \$750 inserted in the Estimates as part payment of passage money to His Honor the Chief Justice is an unusual course.

I would point out in conclusion that much of the saving in the sums originally placed on the Estimates has been effected by reducing many items of indispensable expenditure, which neither I nor the Assembly can control. The sums asked for in

such cases were the result of careful calculation based upon the experience of previous years, and there is but little doubt that the expenditure for the year, under such heads, will be actually what was placed on the Estimates and that therefore no real saving can be reckoned on.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy,
Governor

Also a Communication "No. 9"²¹ from H. E. The Governor, acknowledging receipt of a Resolution of this House (dated 2nd Inst.) praying for an account of the Financial condition of the Country with an account of the moneys received from the various sources of Revenue. Also an Account of the Expenditure according to the various appropriations.

Also—An extra-ordinary Communication from His Excellency transmitted by the hands of the Honble. the Colonial Secretary stating that His Excellency had just received Tenders for the Mail Service contract and expressing His Excellency's desire "that a Committee of the House with Mr. Speaker wait upon him at their earliest convenience."

On motion of Mr. De Cosmos, 2nd by Mr. McClure—The order of the day was then discharged.

On motion of Mr. De Cosmos, seconded by Mr. Dennes, *Ordered* That the House be cleared of Strangers.

The House then Ordered "That a Deputation be appointed to wait upon His Excellency the Governor forthwith in re the said last communication."

Committee appointed: Messrs. De Cosmos, Tolmie, Trimble, Carswell.

The Committee, accompanied by Mr. Speaker, waited forthwith upon His Excellency.

The Committee being returned, the Speaker conveyed to the House the terms of the several contracts, as communicated to the Committee by His Excellency.

The House then took under consideration the said contracts and Resolved unanimously "That this House having had the Message of His Excy. The Governor respecting tenders for Mail Service to and from San Francisco under consideration are of opinion That it is expedient to accept that tender which proposes to put on a Steam Ship for 12 months at \$1500.00 per trip, making three trips in 2 months (and four trips if possible with the maximum rate of cabin and Steerage passage at Forty dollars (\$40.00) and Fifteen dollars (\$15.00) respectively. That this House would further urge that no contract be made with any party for Mail Service if the Steam Ship go to New Westminster. That care be taken that there be steerage accommodation for as large a number of passengers as possible."

The Committee accompanied by Mr. Speaker, then waited upon His Excellency to deliver the above Resolution.

The Committee being returned Mr. Speaker informed the House that His Excellency thanked the House for their Assistance, and concurred with the terms of their Resolution.

The House was then again opened to strangers.

²¹ Messages to House, 5 February 1866.

Mr. McClure moved (seconded by Mr. Dennes) "That the Standing Orders having been suspended, the House go into Committee of the whole to take into consideration His Excellency the Governor's Communication (No. 8) in reply to the Resolution of the House of the 29th Jany. ordering that a Copy of the sums granted and the Resolutions passed in Committee of Supply respecting the amalgamation named or introduced into the Estimates be prepared and transmitted to the Executive."

Dr. Ash moved An Amendment "that His Excellencys Despatch be printed."
The House then divided.

Ayes: 4.

Messrs. Ash
Cochrane
Powell
Tolmie

Noes: 7.

Messrs. Carswell
Dickson
Duncan
Dennes
De Cosmos
McClure
Trimble

The original motion was then put, & the Comtee. divided.

For the original motion

Ayes: 7.

Messrs. Carswell
Dickson
Dennes
Duncan
De Cosmos
McClure
Trimble

Against the motion

Noes: 4.

Messrs. Ash
Powell
Cochrane
Tolmie

The motion was therefore carried.

A Communication was read fm. the Honble. Legislative Council enclosing "The Bills of Sale Act, 1861, Amendment Act, 1866." Ordered by the Honble. The Legislative Council "To be read this day six months."

Mr. De Cosmos then gave Notice of Motion "that at the next meeting of this House he would move that an exact copy of the 'Bills of Sale Act, 1861, Amendment Act, 1866' be laid on the table of the House."

A Communication was read from the Honble. Legislative Council enclosing "The Harewood Railway Company (Lim.) Extension Act, 1866" with An Amendment by the Honble. L. Council as follows.

At the end of Clause 1—insert the following Proviso.

Provided however that nothing in this Act contained except as aforesaid shall be held to relieve the said Company from the performance of any of the matters or things mentioned in the said recited Act.

Ord. "that amendment be read 1o."

Also A Communication fm. the Honble. Legislative Council enclosing "The District Courts, Act 1866."

Read 1o. and Ordered to be printed.

Also a Communication from the Honble. Colonial Secretary forwarded to him from certain Residents at Nanaimo, for transmission to this House praying the House to reconsider its vote abolishing the office of Stipendiary Magistrate at Nanaimo.

Ordered to lie on the table.

Mr. De Cosmos presented a Petition from the Promoters of "The Spring Ridge Water-works Co. (Limited)."

Ord. to be referred to the Select Comtee. on Private Bills.

Mr. De Cosmos presented a Petition signed by about one thousand Inhabitants of the City of Victoria, praying the House to take steps to bring about a Union of the Colonies of V. Id. and British Columbia.

Ord. "to lie on the table."

On motion of Mr. Duncan, seconded by Mr. De Cosmos, Ordered "That a respectful Address be presented to His Excy. requesting him to inform this House by what authority those parties having property fronting on the harbor of Victoria have encroached by building, some to the extent of 100 feet, outside the limits of their Property or beyond high-water mark."

Mr. Dennes rose to a question of Privilege to correct a mis-statement made by the Chronicle Newspaper in its report of a speech of his.

Mr. Duncan gave notice of motion for tomorrow as to the Appointment of a Comtee. of 3 to enquire into the Expenditure of /65.

Mr. Dennes gave Notices of Motion for Friday next—

1. For leave to introduce "An Act for the better protection of parties dealing with persons liable to the Bankrupt Laws."
2. For leave to introduce "An Act to facilitate the recovery of possession of tenements after the determination of the Tenancy."
3. For leave to introduce "An Act for the relief of Prisoners in contempt."

Bills read 3o. and passed.

A Bill Entitled An Act for securing Liens to Mechanics and others."

A Bill Entitled An Act respecting Ferries.

The Order of the Day having been discharged—the House went into Comtee. upon His Excys' Despatch No. 8—v. f. 366, &c. [pp. 428-30 above].

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be agreed to.

The House then went into Committee of "Ways and Means."

The Chairman of "Ways and Means" in Chair.

The Chairman reported a Resolution "That the Treasurer be ordered to transmit forthwith a statement showing the amount of Taxes due under the 'Real Estate Tax Act, 1862' on Decr. 31 1865; that the order be sent direct to the Treasurer."

Mr. Speaker ruled the Resolution out of order and declined to put it from the Chair unless directed to do so by a vote of the House.

On a division the House decided that the Resolution should be put.
(Dissentiente Dr. Powell).

The Resolution was then put and carried.
(Dissentiente Dr. Powell).

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Thursday, the 8th day of February, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dennes, Dickson, Duncan, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was received from the Honble. L. Council enclosing "A Bill Entitled An Act to establish the Postal System."

Ordered "that Bill be read 1o."

On motion of Mr. De Cosmos, seconded by Dr. Dickson Ordered "That an exact copy of the amended 'Bills of Sale Act, 1866,' as transmitted to the Honble. Legislative Council be laid on the table." The Clerk of the House then laid on the table the above Copy as ordered.

On motion of Mr. De Cosmos, seconded by Mr. McClure Ordered "That a Committee of 3 be appointed to enquire into the Expenditure of 1865." Comtee. Messrs. Duncan, Tolmie, Carswell.

Read 2o. and passed—The Amendment by the Honble. L. Council to "The Harewood Railway Cos. Extension Act, 1866."

Order of the Day—The House then went into Committee upon His Excellency's Communication (No. 8).

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be agreed to.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker

Friday, the 9th day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dennes, Dickson, Duncan, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed. Mr. De Cosmos rose to a question of Privilege and, after referring to a letter signed "Citizen" published in the Daily Chronicle of this days date in which mis-statements concerning him are made, moved "That a Committee on Privilege be appointed to enquire whether or not, Mr. De Cosmos was justified in informing the Clerk of this House that he had the Speakers permission to read the Messages laying open on the Clerks Table, on the 5th Inst."

2nded by Mr. Carswell.

Mr. Speaker was proceeding to nominate the Committee when Mr. De Cosmos rose to a question of Order and claimed that the Committee be appointed by Ballot.

Mr. Speaker ruled that the Standing Orders did not convey any such injunction.

Mr. De Cosmos's Original Resolution was then put and carried.

Ordered "that Messrs. Ash, Cochrane, Powell, Tolmie, Trimble be a Committee in re the above."

Mr. Speaker appointed Messrs. Ash and Cochrane upon the Select Committee on Private Bills vice Messrs. Foster and Street who have resigned their Seats in this House and called over the names of the Committee thus "Messrs. Trimble, De Cosmos, Dennes, Ash, Cochrane."

On motion of Mr. Dennes, 2nded by Mr. Duncan,

1. Leave granted to introduce "An Act for the relief of Prisoners in contempt."
2. Also to introduce "An Act for the better protection of parties dealing with persons liable to the Bankrupt Laws."
3. Also to introduce "An Act to facilitate the recovery of possession of tenements after the determination of the Tenancy."

A Message from His Excellency the Governor was then received and read (No. 10) enclosing Duplicate of a Despatch (No. 59, dated 12th Octr. 1865) from the Rt. Honble. The Secretary of State for the Colonies on the subject of "*Re-imbursements* for the cost of the erection of Lighthouses in Vancouver Island and of replacing *Sums advanced* from the Crown Revenues."

Ordered to lie on the table.

The House then went into Committee of the whole upon His Excellency's Communication "No. 8" (Record f. 366 [pp. 428-30 above]).

Dr. Trimble in the Chair.

The Chairman reported that the Committee having had under consideration His Excellency's Communication (No. 8—1866) had Resolved That this

House having given its earnest consideration to His Excellency's Message in reference to the action of the House on the Estimates is of opinion

1. That no compensation should be given to those officials whose salaries have been abolished by the House; inasmuch as no person accepting office in a new country to which responsible Government may at any time be granted, could, from the very nature of things, expect that permanency should be a quality of any official Appointment. So far as the offices of "Registrar General" and "Assessor" are concerned Bills are about to be introduced for their abolition.

2. The House is ready to admit with His Excellency that party feeling sometimes runs high in small communities, but it is also of opinion that the same characteristic is to be found in large ones—in fact in all communities where freedom of opinion exists. At the present time however in Vancouver Island there is really, in connexion with the public expenditure, but one party, and that is the entire public who demand the utmost reduction in the Expenses of the Government.

3. The fears entertained by His Excellency that the reduction in the public expenditure made by the Assembly will be detrimental to the public interest, are, in the opinion of this House, groundless, as such reductions were only made after due and careful consideration and in accordance with "the well understood wishes of the people."

4. His Excellency characterises the Action of the Assembly in claiming the power to originate and increase money grants as unconstitutional and usurping the powers of the Executive. The House is at a loss to know by what authority His Excellency disputes a right, and declares it to be unconstitutional, which has been asserted and maintained by the Imperial House of Commons and which has been exercised in the North American Colonies and in various other parts of Her Majesty's Colonial possessions.

Prior to the granting of responsible Government in Canada, Nova Scotia, and New Brunswick, the right to originate and increase money grants was maintained and exercised by the respective Assemblies, and was only conceded to the Executive by express enactment when the Colonies had received responsible Government. In the Bermudas, all Bills were required to be originated in the Assembly. The House in justice to the people and to its own self-respect, cannot allow its deliberate votes on money matters to be altered at will by the Executive, and in reviewing the manner in which various votes of last year were applied contrary to the express stipulations of the Assembly, the House feels called upon to assert its control of the General Revenues, and to maintain its right to originate and increase items of public expenditure.

The House, and not the Executive, is responsible to the people and it would be a most dangerous abandonment of public right on its part to relinquish its authority over the public expenditure to an irresponsible branch of the Government.

5. His Excellency states that the House has added to the estimates sent down by the Executive the sum of \$77,000. The estimates transmitted to the

House amounted to \$193,895; the total sum voted by the Assembly, including a loan of \$45,500 for roads, is \$202,063, or \$8,168—not \$77,000—added to the Executive's estimates. His Excellency has therefore been unwittingly led into an error. The additions which the Assembly made were confirmed exclusively to necessary public works, which the Executive had not provided for in the estimates, and were also made necessary on the grounds that the Executive had not applied the appropriations of last session for the important institutions of public hospital and fire department as they were voted by the House, leaving, therefore, a large deficit to be made up by the Assembly.

6. The Police estimate voted by the House is considered ample, inasmuch as it is contemplated, as His Excellency will perceive by the resolutions of the House, to make provision for municipal government in various parts of the Colony. A sum of \$500 has been voted for constables in outlying districts, and it was deemed that the constable at Nanaimo should be paid out of this amount until the town of Nanaimo shall have been incorporated.

7. With regard to the office of auditor the House cannot see on what grounds application was made to the Crown by His Excellency to have the office a Crown appointment, as the House last session refused to vote the Executive estimate of \$1940 for "auditor," and placed in its stead "\$1200 for auditing the public accounts." The House maintains its resolution of the present session respecting the Auditing of the public Accounts for 1866.

8. The House would state in reference to the amalgamation of the office of coroner and Stipendiary Magistrate of Victoria that it has already decided against the amalgamation of such offices on constitutional grounds. The House does not recognize the right of His Excy. to remove the Coroner other than by the usual process required by English Law.

9. The House feels with His Excellency that it is of the utmost importance in the present condition of the colony that the greatest harmony should prevail between the various departments of government, and it sincerely hopes that the reductions in the public expenditure made by the Assembly in the estimates, in accordance with public demands, will meet with his Excellency's sanction.

That the above Resolutions be transmitted to His Excellency The Governor with a respectful request that a return be furnished to this House of those officials who have been already discharged.

Ord. "that report be received and read 1o."

House adjourned till Monday (12th inst).

J. S. Helmcken
Speaker.

Monday, the 12th day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dennes, Duncan, Dickson, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was read fm. His Excy. The Governor "No. 11—1866" in reply to the *Resolution* of the House of the 7th Inst. on the subject of certain encroachments by persons having property fronting on Victoria Harbour.

Also a *Communication* from the Honble. Treasurer stating in reply to a Restn. dated 7th Inst. "Ordering the Treasurer to transmit a statement showing the amount of taxes due on 31 Decr. 1865 under the *Real Estate Tax Amendment Act 1862*" stating "that his instructions do not admit of his furnishing the statement so ordered."

Mr. Dennes gave Notice of Motion for leave to introduce "An Act to amend the *Registration of Voters Act, 1859.*"

On motion of Mr. Dennes, seconded by Mr. Duncan, Read 1o." An Act for the better protection of parties dealing with persons liable to the Bankrupt Laws."

On motion of Mr. De Cosmos, 2nded by Dr. Dickson Ordered "that a humble Address be presented to His Excy. the Governor praying that he will transmit to this House copies of His Excellency's Despatches that called forth the Despatch No. [59] of 12th Octr 1865, of Her Majesty's Principal Secretary of State for the Colonies."

The Restns. reported from Committee of the whole House yesterday in re His Excys. Communication No. 8—1866 were then taken under consideration.

Clauses 1, 2, 3, 4, 5 & 6 passed nem. con.

On question that Clause 7 do pass Dr. Tolmie moved An Amendment "that the public Accounts for 1866, be audited by 3 Merchants of the City of Victoria."

Clauses 8, 9, and 10 were agreed to respectively.

The Resolutions were then read as a whole and confirmed.

Mr. De Cosmos rose to a question of Privilege, to correct certain mis-statements made by the Reporters of the Chronicle Newspaper in their report of one of his Speeches.

On motion of Dr. Powell, seconded by Dr. Dickson, Leave was granted to introduce "An Act to encourage the Establishment of Investment Savings and Loan Societies."

The House then went into Committee of "Ways and Means."

The Chairman of "Ways and Means" in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be agreed to."

The House then adjourned till tomorrow.²²

J. S. Helmcken
Speaker.

²² According to the *Colonist*, 13 February 1866, the House adjourned to Wednesday.

Wednesday, the 15th [14th] day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, Dennes, De Cosmos, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Dr. Powell gave Notice of Motion in Committee of "Ways and Means."

Mr. Duncan gave Notice of Motion.²³

On motion of Mr. Dennes, seconded by Mr. Duncan Leave granted to introduce "An Act to amend the Registration of Voters Act, 1859."

Bill read 2o.

The District Court Act, 1866.

An Act to establish the Postal Service.

Which last Act was, on motion of Mr. De Cosmos, seconded by Mr. Dennes "Ordered to be referred to a Select Committee."

Comtee. appointed Messrs. McClure, Dennes, Tolmie.

In Committee of the whole House—"An Act to prevent unqualified persons from drawing Conveyances."

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received and leave granted."

The House then went into Committee of "Ways and means."

The Chairman "Ways & Means" in Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be received and leave granted.

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Thursday, the 16th [15th] day of February, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Dennes, Cochrane, Duncan, Tolmie, Dickson, De Cosmos, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

²³ Motion Book, 1865-66, p. 35: "That a respectful Address be made to His Excellency requesting that he may cause to be laid upon the Table of this House a Return of all Monies Received for passports for the year 1865."

A Communication was read from His Excellency the Governor "No. 12, 1866"²⁴ in reply to An Address from this House praying for Copies of His Excellency's Despatches which called forth the Despatch, "No. 59, 12th Oct., 1865" from the Rt. Honble. The Secretary of State for the Colonies—and stating that the Records of the House of last Session will be found to contain all the information which His Excellency has been enabled to lay before the Secretary of State.

On motion of Mr. Duncan, 2nded by Mr. Dennes—Ordered "That a humble Address be presented to His Excy. The Governor praying that he will cause to be laid upon the table of this House a Return of all Moneys received for Passports of the year 1865."

Mr. Dennes rose to a question of Privilege—a gross breach of which had been committed in the "Daily Chronicle" Newspaper issued this day in a paragraph headed "Bankrupt Legislators" and moved "That David W. Higgins, and Thomas H. Long, Publishers of the 'Daily Chronicle' Newspaper be ordered to attend at this House on Friday next at 3 o'clock for a gross breach of the Privileges of this House."

Dr. Powell moved An Amendment, 2nded by Dr. Dickson, "That the matter be referred to a *Select Committee* on Privileges."

Mr. Dennes then obtained leave to withdraw his Resolution.

Dr. Powell's Resolution was then put and carried.

Comtee. appointed "Messrs. Ash, Cochrane, Powell, Tolmie, Trimble."

Mr. Dennes gave Notice of Motion for tomorrow (16th Inst.).²⁵

The House then went into Comtee. "Ways and Means."

The Chairman "Ways and Means" in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be agreed to."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Monday, the 19th day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, Cunningham, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Tolmie, Trimble.
The last minutes having been read and confirmed.

²⁴ Messages to House, 14 February 1866.

²⁵ Motion Book, 1865–66, p. 35: "I give notice that I shall on Friday next move an address to His Excellency the Governor for a copy of the appointment of Richard Woods as clerk of the Writs of the Supreme Court and a copy of the appointment if any of the said Richard Woods as Acting Registrar of the said Court stating the Amount of Salary received by the said Richard Woods in the capacity of Clerk of the Writs and acting Registrar of the said Court if so appointed from the date of such appointment or appointments."

A Communication was read from the Honble. L. Council enclosing "A Bill to amend the Law of Evidence."

Ordered to be printed.

Mr. De Cosmos gave Notice of Motion—"that at next sitting he would move that this House fix a day to go into Committee to take into consideration the Petition of the Citizens of Victoria respecting Union with British Columbia."

Mr. McClure gave Notice of Motion "that at next sitting he would move An Address to His Excellency the Governor praying His Excellency to inform this House at what date the Union Resolutions which passed this House on 15th Decr. last were transmitted to the Secretary of State for the Colonies."

Mr. Dennes rose to a question of Privilege—calling attention to a second gross breach of Privilege on the part of the Proprietors of the "Daily Chronicle Newspaper" in stigmatising him as a "Bankrupt Legislator" in their issue of the 16th Inst. Mr. Dennes moved "that the Reporters of the Daily Chronicle Newspaper be excluded from this House during the present Session."

2nded by Dr. Dickson.

Mr. De Cosmos, moved An Amendment "that the reporters and employés of the 'Daily Chronicle' be excluded from this House for one week from the present, unless within that time a suitable apology be made in that paper for having applied, in an item, the term 'Bankrupt Legislator' to the Honble. Member for Salt Spring Island on Friday last."

Dr. Tolmie seconded.

Mr. Cochrane moved An Amendment "that the question be referred to a Select Committee on Privilege."

Mr. Cunningham seconded.

Leave having been granted to Mr. Dennes to withdraw his Resolution in favor of Mr. De Cosmos's Resolution.

The Resolution of Mr. De Cosmos was then put as against the Amendment of Mr. Cochrane.

Ayes: 7.

Messrs. Carswell
De Cosmos
McClure
Dennes
Duncan
Trimble
Dickson

Noes: 3.

Messrs. Powell
Cochrane
Cunningham

Mr. De Cosmos's Resolution was therefore carried.

Mr. Duncan presented a Petition from M. M. Titus, Contractor, praying for relief in the matter of a balance of \$1775.00 alleged to be due to him by the City Council for the construction of the View Street Drain.

Mr. Speaker ruled the Petition out of order.

On motion of Dr. Powell, seconded by Mr. De Cosmos Read 1o. "A Bill Entitled An Act to encourage the Establishment of Investment Saving and Loan Societies."

Ordered to be printed.

The House then went into Committee of "Ways and Means."

The Chairman "Ways and Means" in Chair.

The Chairman reported progress and asked leave to sit again.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 20th day of February, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Cunningham, Dennes, De Cosmos, Duncan, McClure, Tolmie, Trimble.

The last minutes having been read and confirmed.

On motion of Mr. McClure, seconded by Mr. De Cosmos, Ordered "That a humble Address be presented to His Excy. the Governor praying that he will inform this House at what date the Union Resolutions which passed this House on the 15th Decr. last were transmitted to the Rt. Honble. the Secretary of State for the Colonies."

On motion of Mr. De Cosmos, 2nded by Mr. Cochrane Ordered "That Thursday next (22nd Inst.) be fixed for the House to take into consideration in Committee the Petition of the Citizens of Victoria in re 'Union with British Columbia.'"

The House then went into Committee "Ways and Means."

The Chairman "Ways and Means" in the Chair.

Mr. Speaker resumed the Chair, on a Question of Order referred to Mr. Speaker in the Chair, from the Committee—which question arose from one of the Employés of the Daily Chronicle Newspaper being present within the Bar of the House "As to whether or not the necessary instructions for carrying out the Order of this House relating to the Reporters and Employés of the 'Daily Chronicle Newspaper,' made yesterday, had been fulfilled."

Mr. Speaker informed the House that the Reporter of the 'Daily Chronicle Newspaper' had been directed to withdraw from the Reporters Table—he did not understand the Order of the House of yesterday as enjoining exclusion from the House.

The Order of the House made yesterday having been read Dr. Tolmie moved An Amendment "That this House having by its Resolution of yesterday sufficiently shown its disapprobation of the course pursued by the employés and reporters of the 'Daily Chronicle' Newspaper in using the term 'Bankrupt Legislator' as complained of, now rescinds that order."

Dr. Ash seconded.

Mr. McClure rose to a question of order and moved "that the Clerk of the House be directed to state whether the Order of the House made yesterday had been duly transmitted to the Proprietors of the Daily Chronicle Newspaper."

The Clerk of the House having replied that 'it had—The House affirmed the Resolution of yesterday (without division) and the Reporter of the 'Daily Chronicle' was Ordered to withdraw from the House.

The House then went into Committee of "Ways and Means."

The Chairman of "Ways and Means" in the Chair.

The Chairman reported that the Committee having had under consideration the subject of "Ways and Means" had Resolved

That the "Real Estate Tax Act 1862" be repealed save as to all taxes due previous to Decr. 31 1865, under the said Act; and that A Bill be recommended to be brought in for the said purpose.

That the annual Trades Licence of \$10.00 be reduced to \$5.00 per annum.

That the "Salaries Tax Act, 1865," be repealed, save as to all Taxes due previous to Decr. 31, 1865, and that A Bill be recommended to be brought in for the said purpose.

That Country Retail Liquor Licenses between the boundaries of Victoria City and Esquimalt Town be reduced to \$50.00 per Annum; that all other Retail Country Liquor Licenses within three miles of the boundaries of Victoria City and Nanaimo respectively be reduced to \$50.00 per annum; and that A Bill be recommended to be brought in for the said purpose.

That the Sum of \$100,000.00, at no more than 12 per cent per Annum, be borrowed; that the said Loan be expended in meeting the outlay for the purchase and improvement of the Governor's Residence, and for the construction of the Roads, Streets, and Bridges, and public Buildings named in the Estimates passed by this House; and that A Bill be recommended to be brought in for the said purpose.

That it is expedient to contract a Loan of Fifty Thousand Pounds (£50,000.) at 6 per ct. interest with 4 per ct. "Sinking Fund", payable in (20) Twenty Years, chargeable on the General Revenue; that the said Loan be expended in paying Off the \$100,000.00 loan, and the balance be appropriated for the construction of Roads and other public Works as the Legislature may determine; and that A Bill be brought in for the said purpose.

That a Permit of Five Dollars (\$5.00) per Ton be levied on all Hay imported into the Colony—Provided that a draw-back be allowed to the full amount of the "Permit" on all imported Hay sent out of the Colony; and that a Bill be recommended to be brought in for the purpose.

That a permit of Five Dollars (\$5.00) per thousand feet of dressed, and two and a half dollars (\$2.50) per thousand feet of rough Lumber, be charged on all imported lumber; and that A Bill be brought in for that purpose.

That the permit due on Milch Cows be reduced from (\$4.00) four Dollars to (\$1.00) One dollar; and that Schedule A. of the "Stock and Carcass Act 1865" be altered accordingly—to read thus

For every Ox, Bull, Cow (not being a Milch Cow)

Heifer, other than Yearling or Calf \$4.00

For every Milch Cow \$1.00 &c. &c.

Ordered that report be received.

The *Resolutions* were then read 1o. and agreed to.

Dr. Tolmie gave notice of motion for tomorrow "to recommit the Resolution ('*Ways & Means*') on the Real Estate Tax, & to re-affirm the ½ per ct. Tax on Imports, and the Salary Tax."

Mr. Duncan gave Notice of Motion.²⁶

Read 1o. and Ordered to be printed.

"A Bill To amend the Indian Liquor Law" received from the Honble. The L. Council.

J. S. Helmcken

Wednesday, the 21st day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cunningham, De Cosmos, Dennes, Dickson, Duncan, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

The House took under consideration the Clauses (seriatim) of the Report of the Committee of "*Ways and Means*" made yesterday.

On question proposed "that 'Clause 1' do pass" Dr. Tolmie moved An Amendment, 2nded by Dr. Powell "to leave out after the word 'that' to the end of the sentence in order to insert the words 'Clause 1 be recommitted.'" "

Question put "That the words proposed to be left out stand part of the question."

Ayes: 7.

Messrs. Carswell
Cunningham
De Cosmos
Dickson
Dennes
McClure
Trimble

Noes: 2.

Messrs. Tolmie
Powell

²⁶ Motion Book, 1865-66, p. 36: "Resolved That for any person or persons in the Colonial Treasury Colonial office or for any person or persons whatsoever employed in the payment of public money to pay or direct or cause to be paid any sum or sums of money for or towards the support of Services voted in the present Session of this House of Assembly after the Assembly shall have been prorogued or dissolved if it shall be prorogued or dissolved before any Act of this House shall have passed appropriating the supplies to such services, Will be a high crime and misdemeanor a daring breach of a public trust, derogatory to the fundamental privileges of this House and subversive of the constitution of this country."

"Clause 1" was therefore carried.

"Clause 2" was carried *nem. con.*

On question proposed "that 'Clause 3' do pass" Dr. Tolmie moved An Amendment, 2nded by Dr. Ash "to leave out after the word 'that' to the end of the Sentence in order to insert the words 'Clause 3 to be recommitted.'"

Question put "That the words proposed to be left out stand part of the question."

Ayes: 6.

Messrs. Cunningham
De Cosmos
Dennes
Dickson
McClure
Trimble

Noes: 3.

Messrs. Tolmie
Ash
Powell

Clause 3 was therefore carried.

Clause 4 was carried *nem. con.*

On question proposed "that Clause 5 do pass" Dr. Tolmie moved An Amendment, 2nded by Dr. Ash "to leave out after the word 'that' to the end of the sentence in order to insert the words 'Clause 5 be recommitted.'"

Question put "That the words proposed to be left out stand part of the question."

Ayes: 7.

Messrs. Carswell
Cunningham
McClure
Dennes
Duncan
De Cosmos
Trimble

Noes: 2.

Messrs. Tolmie
Ash

Clause 5 was therefore carried.

On question proposed "that Clause 6 do pass" Dr. Tolmie moved An Amendment, 2nded by Dr. Ash "to leave out after the word 'that' to the end of the sentence in order to insert the words 'Clause 6 be recommitted.'"

Question put "That the words proposed to be left out stand part of the question."

Ayes: 7.

Messrs. Cunningham
Dennes
De Cosmos
Trimble
Duncan
Carswell
Powell

Noes: 2.

Drs. Tolmie
Ash

Clause 6 was therefore carried.

Clause 7 was carried. (Dissentiente Dr. Powell).

Clause 8 was carried. (Dissentientibus Dr. Powell, Dr. Ash)

Clause 9 was carried unanimously.

The Resolutions were then read as a whole and carried.

Ordered that Bills be brought in accordingly.

Dr. Tolmie gave Notice of Motion for Friday next (23 Inst) "that he would move to amend the Port and Harbour Dues Act /65 to remove the tax of $\frac{1}{2}$ of 1 per Ct. on imports."

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker

Friday, the 23rd day of February, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, Cunningham, Dennes, Dickson, De Cosmos, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication was read from H. E. The Governor transmitting Departmental Reports from the Surveyor General, Registrar General of Deeds and Harbor Master, for 1865.²⁷

Mr. Speaker ruled the Resolution of the Honble. Senior Member for Victoria District, notice of which was given yesterday, out of order.

The House then went into Committee on the Union Petition.

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be agreed to."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Monday, the 26th day of February, 1866

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Cunningham.

A Quorum not being present the House was counted out.

J. S. Helmcken
Speaker.

²⁷ Messages to House, 22 February 1865. For Reports, see Vancouver Island, *Government Gazette*, III, 20 February 1866, 3-25.

Tuesday, the 27th day of February, 1866

No quorum.

Present: Mr. Speaker and Messrs. De Cosmos, McClure, Cunningham.

J. S. Helmcken
Speaker.

Wednesday, the 28th day of February, 1866

Present: Mr. Speaker and Messrs. Carswell, De Cosmos, Duncan.

At 1:16 p. m. the House was counted out.

J. S. Helmcken
Speaker.

Thursday, the 1st day of March, 1866

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, Cunningham, De Cosmos, Duncan, Dickson, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

Bills read 1o. and Ordered to be printed.

On motion of Mr. Cunningham, 2nded by Mr. McClure "A Bill To incorporate the town of Nanaimo."

On motion of Mr. McClure, 2nded by Mr. Cunningham "A Bill To amend the Victoria Incorporation Act, 1862."

Dr. Powell presented A Petition from certain Residents in the Town of Esquimalt against the operation of the Road Act, 1860.

Ordered to lie on the table.

Order of the Day.

In Committee of the whole House "Union of the Colonies of B. C. and V. Id."

Dr. Trimble in the Chair.

On motion of Mr. De Cosmos Ordered "That Strangers do withdraw."

The Chairman reported a Resolution that the Committee recommend that the House request a Conference with the Honble. Leg. Council on the subject of Union of the Colonies; the Chairman also reported progress and asked leave

to sit again, in order that a deputation wait upon His Excy. The Governor to ascertain what information, if any, may have been received concerning Union, and whether a Resolution passed by this House on the 13th Decr. last had been sent home and at what date.

Ordered that Honble. Speaker, Messrs. McClure & Tolmie, be a Deputation to wait upon H. E. in re the above.

The Deputation being returned, Mr. Speaker informed the House that the Deputation had waited upon His Excy. that His Excellency had not received any Official information about Union and that the Resolutions on that subject passed on the 13th Decr. last, had been transmitted on the 16th Decr.

Mr. De Cosmos gave Notice of Motion.²⁸

Mr. Duncan „ „ „ „ 29

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Friday, the 2nd day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cunningham, Dennes, McClure, Dickson, De Cosmos, Tolmie, Trimble.

The last minutes having been read and confirmed.

Mr. De Cosmos moved that the Standing Orders of the House be suspended in order that the following Address be considered and transmitted to His Excy. the Governor for transmission to the Rt. Honble. The Secty. of State for the Colonies in re "The dismissal of James Dickson Esqre. as Coroner."

Mr. McClure seconded.

On question put, it was "Ordered that the Standing Orders be suspended" (Dissentiente Dr. Tolmie).

The Clauses of the Address were then taken up seriatim as follows.

To the Queens Most Excellent Majesty—&c. &c.

Most Gracious Sovereign:

May it please Your Majesty

We, Your dutiful and loyal subjects, the representatives of the people of the Colony of Vancouver Island and its Dependencies in the Commons House of Parliament convened would most respectfully represent to Your Majesty

²⁸ Motion Book, 1865-66, p. 37: "At next meeting I will move: That a respectful address be transmitted forthwith to Her Most Gracious Majesty the Queen praying that Her Majesty may be graciously pleased to disallow the order of His Excellency the Governor which purports to revoke the appointment of James Dickson Esqre. M. D. as Coroner for Victoria, Esquimalt and the districts adjacent thereto."

²⁹ Motion Book, 1865-66, p. 37: "At an early date I shall ask leave to introduce a Bill entitled an Act to amend the Road Act."

1. That James Dickson Esqre. M.D. of the City of Victoria in the said Colony was appointed Coroner of Victoria, Esquimalt, and the districts adjacent thereto on the 9th day of January 1860 by Sir James Douglas K. C. B. the then Governor;

Carried—(Dissentiente Dr. Tolmie).

2. That the said James Dickson discharged the duties of Coroner for the said Districts from the said date till the 1st day of February, 1866, in the most satisfactory manner, none of his decisions ever having been called in question, and without any person or authority ever alleging any legal cause why he should be removed;

Carried—(Disste. Dr. Tolmie).

3. That at the last mentioned date, His Excellency The Governor, A. E. Kennedy Esqre. C. B. made an order purporting to revoke the commission of the said James Dickson as Coroner for the before mentioned districts and conferred the office of Coroner for the same on A. F. Pemberton Esqre. Stipendiary Magistrate of Victoria, alleging, as the only cause for doing so, that he did so in order to carry out a system of retrenchment;

Carried (Disste. Dr. Tolmie).

4. That, as there is no local enactment respecting Coroners, the Common and Statute Law of England, so far as applicable to Coroners have been recognised here as the law of the Land;

Carried (Disste. Dr. Tolmie).

5. That, by the law of England, no Coroner can be removed except for one of the following causes, that is to say: being engaged in other business, incapacitated by years or sickness, insufficient estate in the county, living in an inconvenient part of the County, and also for extortion, neglect or misbehavior—And then only by Your Majesty's Writ "de Coronatore exonerando" containing one of the said causes of removal—or by special Statute.

Carried (Disste. Dr. Tolmie).

6. That retrenchment is not a sufficient cause for the removal of a Coroner, according to the law and custom of England; and no local Statute authorising the removal of Coroners has ever been enacted;

Carried (Disste. Dr. Tolmie).

7. That until a local Statute, authorising the removal of Coroners, shall have been enacted We hold it to be unwise, inexpedient and contrary to the laws and customs of England and of this Colony to remove any person holding the ancient and honorable Office of Coroner and especially the said James Dickson, except in the manner or for the causes here-in-before expressed.

Carried (Disste. Dr. Tolmie).

8. Therefore, We, Your Majesty's dutiful and loyal Subjects in our ardent attachment to Your Royal Person and Government, and in our unfeigned reverence for the laws and institutions of our Mother-Country humbly pray that Your Majesty may be graciously pleased to disallow the order which purports to revoke the Commission of the said James Dickson as Coroner of the said Districts

And as in duty bound We will ever pray &c. &c. &c.

March 2nd 1866

Victoria, V. I.

Carried (Dissente. Dr. Tolmie).

The Resolutions were then read as a whole and carried. (Dissente. Dr. Tolmie).

And, the Standing Orders having been suspended, were Read 2o. and confirmed (Dissente. Dr. Tolmie).

A Message was then received from the Honble. L. Council, granting A Conference with the Legislative Assembly, & naming 2.30 p.m. instant as the hour at which they would meet the L. A. in conference upon the question of "Union of the Colonies."

Accordingly at 2.30 p.m. Mr. Speaker with the House, went up to the Honble. the Legislative Council's chamber, and being thereafter returned to the House of Assembly—Mr. McClure from the Conference reported that it had suggested by the Honble. L. Council that the Legislative Assembly frame Resolutions upon the subject of Union which Resolutions shall be submitted to the Honble. L. Council for their concurrence.

The House then deliberated upon the question of "Union of the Colonies" and Resolved "That this House having been advised that it is the intention of H. M.'s Government to unite the Colonies of Vancouver Island and British Columbia would respectfully pray that H.M.'s Government will be pleased to leave the question of the seat of Government and Fiscal policy to the decision of the United Legislature of Vancouver Island and British Columbia."

That this Resolution be transmitted by Telegraph to Her Majesty's Government.

That these Resolutions be transmitted to the Honble. L. Council for its concurrence.

The above Resolutions were then transmitted to the Honble. L. Council—by whom Amendments were presently returned as follows—

Paragraph 1—After word "having" in 1st line leave out to end of paragraph and substitute in lieu thereof the following—"just learned that the Union of Vancouver Island and British Columbia has been determined upon by H. Ms. Govt. would respectfully pray that the Secretary of State for the Colonies will be pleased to postpone the fixing of the permanent Seat of Government until the wishes of the people of the two Colonies be ascertained."

Paragraph 2—After the word "transmitted" insert "to H. E. The Governor with the respectful request that he will be pleased to forward the same" and after word "Government" add "and also by post by the outgoing mail."

The Council Amendments having been read 1o. and the Standing Orders having been suspended were read 2o. and confirmed.

Ordered that above Resolutions as amended be transmitted to H. E. The Governor.

The House then adjourned till Monday next at 1 p. m.

J. S. Helmcken
Speaker

Monday, the 5th day of March, 1866

Present: Mr. Speaker and Messrs. De Cosmos, Dickson, McClure.

A Quorum not being present the House was counted out.

J. S. Helmcken
Speaker.

Tuesday, the 6th day of March, 1866

Present: Mr. Speaker and Messrs. De Cosmos, Trimble.

A Quorum not being present, the House was counted out.

J. S. Helmcken
Speaker.

Wednesday, the 7th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dickson, Duncan, McClure, Powell.

The last minutes having been read and confirmed.

Mr. Speaker, in reply to Mr. Cochrane, stated that certain Returns, called for in an Address of this House to His Excellency the Governor, dated Jany. 3rd 1866, of all "lots sold for Colonial or Municipal Taxes with the names of the owners and purchasers," had not yet been made.

A Communication was read from the Honble. Colonial Secretary transmitting 13 Copies of Volume 2 of the Colonial Statutes, in reply to a Resolution dated 18th Decr. 1865.

Mr. De Cosmos from the Select Committee on Private Bills brought up the report of that Committee in re "The Spring Ridge Waterworks Co. (Lim.)," recommending that the petition be heard on its merits.

Order of the Day—Bills in Committee.

"The District Court Act, 1866" (L. C.).

An Act to prevent unqualified persons from drawing Conveyances.

Mr. McClure in the Chair.

The Chairman reported that he had been ordered to report In regard to the first The Bill complete with Amendments. In regard to the Second That the Committee had not any report to make.

Ordered that reports be agreed to respectively.

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Thursday, the 8th day of March, 1866

A Quorum not being present, the House was counted out.

Present: Mr. Speaker and Messrs. De Cosmos, Dickson, McClure.

J. S. Helmcken
Speaker.

Friday, the 9th day of March, 1866

A Quorum not being present, the House was counted out.

Present: Mr. Speaker and Messrs. De Cosmos, Dickson, McClure.

J. S. Helmcken
Speaker.

Monday, the 12th day of March, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Dickson, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 15) was read from H. E. The Governor transmitting, in accordance with An Address of the House dated 3rd Jany. 1866, a "Return of Lands sold for Taxes."³⁰

Also A Communication (No. 16) transmitting, in compliance with certain Resolutions of this House dated 30th November 1865, the Returns therein called for from the Courts of "Probate and Bankruptcy" which Communications were Ordered "to lie on the table."³¹

Mr. De Cosmos, from the Select Committee appointed to draft Bills of Supply and Ways and Means, reported the following Bills and moved their first Reading—viz.:

- The Real Estate Tax Repeal Act, 1866.
- The Trades Licence Amendment Act, 1866.
- The Liquor Licence Act, 1866.
- The Harbor Dues Amendment Act, 1866.
- The Stock and Carcass Act, 1865, Amendment Act, 1866.
- The Salaries Tax Repeal Act, 1866.

³⁰ Messages to House, 8 March 1866. For Return, see Vancouver Island, *Government Gazette*, III, 10 April 1866, 3–12.

³¹ Returns to House, 9 March 1866.

The Vancouver Island Road and Public Works Loan Act, 1866.

The Vancouver Island Temporary Loan Act, 1866.

The above Bills were then read 1o. respectively.

"The Vancouver Island Road and Public Works Loan Act, 1866" [and] "The Vancouver Island Temporary Loan Act, 1866" were "Ordered to be printed."

On motion of Mr. De Cosmos, 2nded by Dr. Dickson, "That the Standing Orders be suspended and that the Bills reported, as above, be read respectively 2o."

The Committee divided.

Ayes: 4.

Messrs. Cochrane

De Cosmos

Dickson

McClure

Noes: 2.

Messrs. Ash

Trimble

The Resolution was therefore carried, and the before mentioned Bills were read respectively 2o. and committed.

Bills read 1o.

"A Bill For the protection of Inventions" on motion of Mr. McClure, 2nded by Mr. De Cosmos

Also "A Bill Entitled An Act to amend the Law of Evidence" (Honble. L. C.).

Also "The Spring Ridge Water Works Co. (Lim.)" which last Bill was Ordered to be referred to Select Committee on Private Bills.

Bill read 3o. and passed.

The District Courts Act, 1866.

Bills read 2o. & committed.

"The Indian Liquor Law Act, 1860, Amendment Act, 1866" and, the Standing Orders having been suspended, on motion of Mr. De Cosmos, 2nded by Mr. McClure—also "A Bill Entitled An Act to amend the Law of Evidence."

On motion of Mr. De Cosmos, 2nded by Mr. McClure Ordered "That the 'Nanaimo Incorporation Bill' be treated as a Public Bill."

Bills in Committee.

The Real Estate Tax Repeal Act, 1866.

The Trades Licence Amendment Act, 1866.

The Liquor Licence Act, 1861, Amendment Act, 1866.

Dr. Trimble in the Chair.

The Chairman reported in regard to the first—the Bill complete without amendment: in regard to the second—the Bill complete without amendment: in regard to the third, Progress, and asking leave to sit again.

Ord. that reports be agreed to respectively.

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 14th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dickson, De Cosmos, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Bills read 2o. and committed.

The Nanaimo Incorporation Act, 1866.

The Victoria Incorporation Amendment Act, 1866.

An Act to encourage the Establishment of Investment, Savings and Loan Societies.

Bills in Committee.

Dr. Trimble in the Chair.

The Liquor Licence Act, 1866.

The Harbor Dues Amendment Act, 1866.

The Stock and Carcass Amendment Act, 1866.

The Salaries Tax Repeal Act, 1866.

The Vancouver Island Road and Public Works Loan Act, 1866.

The Chairman reported—In regard to the first—the Bill complete as amended: in regard to the second—the Bill complete as amended: in regard to the third the Bill complete without amendment: in regard to the fourth the Bill complete without amendment: in regard to the fifth the Bill complete as amended.

Ordered that reports be agreed to respectively.

Dr. Powell gave Notice of Motion.³²

On question that The House adjourn till Friday next at 1 p. m. The House divided.

Ayes: 2.

Noes: 2.

Messrs. Dickson

Messrs. De Cosmos

Trimble

McClure

Mr. Speaker gave his casting vote with the Ayes, and the House adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 16th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dickson, De Cosmos, Duncan, McClure, Trimble.

The last minutes having been read and confirmed.

³² *Chronicle*, 15 March 1866: "Dr. Powell gave notice of a motion for the appointment of a committee to inquire into the working of the present Road Act, and to report thereon."

In Committee.

"The Vancouver Island Temporary Loan Act, 1866" (\$100,000.).

Dr. Trimble in the Chair.

The Chairman reported the above Bill complete with amendments.

Ordered that report be agreed to.

Bills read 3o. and passed.

The Liquor Licence Act, 1866.

The Harbor Dues Amendment Act, 1866.

The Stock and Carcass Amendment Act, 1866.

"The Salaries Tax Repeal Act, 1866" (Dissentientibus Messrs. Carswell, Powell).

The Trade Licence Amendment Act, 1866.

"The Real Estate Tax Repeal Act, 1866" (Dissentiente Dr. Powell).

The Vancouver Island Road and Public Works Loan Act, 1866.

On motion of Mr. De Cosmos, 2nded by Mr. McClure "That the Standing Orders be suspended, to admit of 'The Vancouver Island Temporary Loan Act, 1866' being Read 3o."

The House divided.

For Mr. De Cosmos's Motion

Ayes: 2.

Messrs. De Cosmos

McClure

Against the Motion

Noes: 4.

Messrs. Dickson

Powell

Duncan

Trimble

The motion was therefore lost.

Dr. Trimble gave Notice of Motion.³³

J. S. Helmcken
Speaker

Monday, the 19th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair, Messrs. Ash, Cunningham, Dickson, De Cosmos, Duncan, McClure, and Dr. Trimble.

The last minutes having been read and confirmed.

Dr. Dickson presented a Petition from the Ministers and Laymen of the Wesleyan Methodist Church in V. Id. and British Columbia in favor of A Bill, passed by the Honble. Legislative Council, and now before this House, Entitled "An Act to amend the Indian Liquor Act, 1860."

Ordered to lie on the table.

³³ Motion Book, 1865-66, p. 38: "I give notice that I will at the next meeting of the House move that the Speaker be requested to order the attendance of the member for Salt Spring Island."

Read 3o and passed.

"The Temporary Loan Act, 1866" (Dissentiente Dr. Ash).

In Committee "A Bill To explain and amend the Victoria Incorporation Act, 1862."

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be agreed to.

On question put "that the House do adjourn till Wednesday next at 1 p. m." The House divided.

Ayes: 3.

Messrs. Trimble
Dickson
Duncan

Noes: 3.

Messrs. Cunningham
De Cosmos
McClure

Mr. Speaker gave his casting vote with the Ayes—and the House adjourned till Wednesday next at 1 p. m.

Speaker.

J. S. Helmcken

Wednesday, the 21st day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, Cunningham, De Cosmos, Duncan, Carswell, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

In Committee of the whole House.

The Victoria Incorporation Amendment Act, 1866.

Dr. Dickson in the Chair.

The Chairman reported the Bill complete as amended.

On question put "that report be adopted" Dr. Trimble, seconded by Dr. Powell, moved An Amendment "That the Bill be recommitted on Clauses 7, 8, and 9."

For the original question

Ayes: 4.

Messrs. Cunningham
De Cosmos
Dickson
McClure

Noes: 4.

Messrs. Trimble
Powell
Duncan
Cochrane

Mr. Speaker gave his casting vote with the Noes—the original question was therefore lost.

The Amendment was then put and carried by the casting Vote of the Speaker—And the "Victoria Incorporation Amendment Act, 1866" was recommitted on Clauses 7, 8, & 9.

The House also went into Committee upon "The Nanaimo Incorporation Act, 1866."

Dr. Dickson in the Chair.

The Chairman reported progress & asked leave to sit again.

Ordered that report be received and leave granted.

Mr. Cochrane referring to certain Returns sent down to this House in His Excys. Communication (No. 15) in reply to a Resolution of this House dated 3rd Jany. 1866—which returns had been ordered to lie on the table—moved "That a humble Address be presented to His Excellency The Governor praying that he will cause to be printed in the Government Gazette Returns of all lots sold for Colonial or Municipal Taxes with names of the owners and purchasers."

Mr. De Cosmos gave Notice of Motion.³⁴

On question put "that the House adjourn till tomorrow" The House divided.

Ayes: 3.

Noes: 5.

Messrs. Cunningham

Messrs. Dickson

De Cosmos

Duncan

McClure

Powell

Cochrane

Trimble

The motion was therefore lost.

On question proposed "that House adjourn till Friday" Mr. McClure moved An Amendment "to leave out all after the word 'that' to the end of the sentence in order to insert the words 'the House adjourn till Tuesday next' " (27th Inst).

The Amendment was agreed to unanimously, and the House adjourned till Tuesday next 27th Inst.

J. S. Helmcken
Speaker.

Tuesday, the 27th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Cunningham, Dennes, Dickson, De Cosmos, Duncan, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication was received from the Honble. L. Council transmitting further Amendments by the Honble. L. Council to the Amendments of the Legislative Assembly to "The District Courts Act, 1866" as follows:

Clause XVI, line 4: after words "in fact" insert the words "acting gratuitously and with the permission of the Judge."

³⁴ Motion Book, 1865-66, p. 38: "At next meeting I will move 'That a return be called for as to whether G. E. Dennes Esq., member of this House for Salt Spring Island has been adjudicated a Bankrupt in the Bankruptcy Court of this Colony; & if so that a certificate to that [effect] be transmitted to this House.'"

Clause XVII, lines 3, 4, and 5: strike out the words commencing with "unless such Barrister" to the end of the Clause, and insert the following words "if the Judge shall certify to deprive the party of such Costs."

On motion of Mr. De Cosmos, 2nded by Dr. Dickson "That the preceding Amendments be returned to the Honbl. Legislative Council forthwith, with a Communication to the effect that the said Amendments have not been agreed to."

Mr. Duncan, 2nded by Dr. Trimble, moved An Amendment "to leave out after the word 'that' to the end of the sentence in order to insert the words 'that the Amendments be referred to a Select Committee.'"

Question put "that the words proposed to be left out, stand part of the question."

Ayes: 6.

Messrs. Cunningham
Cochrane
De Cosmos
Dennes
Dickson
McClure

Noes: 5.

Messrs. Ash
Trimble
Carswell
Duncan
Powell

The original motion was therefore carried, and it was Ordered "that the Amendments be returned to the Honble. L. Council."

On motion of Dr. Powell, 2nded by Dr. Trimble (Notice given 7th March) "That A Select Committee be appointed to take into consideration the practicability of the present Road Act & to report thereupon" The House divided.

Ayes: 4.

Messrs. Duncan
Carswell
Trimble
Powell

Noes: 5.

Messrs. Ash,
Cochrane
Dennes
Dickson
De Cosmos

The motion was therefore lost.

Read 2o and Committed.

"A Bill for the protection of Inventions" (Dissentiente Mr. Duncan).

In Committee "The Nanaimo Incorporation Bill."

Dr. Dickson in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received and leave granted."

Mr. De Cosmos rose to a question of Privilege, and moved "that a Committee on Privileges be appointed to enquire whether or not the Honble. Member for Lake is possessed of a property qualification, entitling him to a seat in this House."

Committee appointed: Messrs. Ash, Cochrane, Dickson, Powell, Trimble.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 28th day of March, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dennes, Dickson, De Cosmos, Cunningham, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

In Committee "The Nanaimo Incorporation Act, 1866."

Dr. Dickson in the Chair.

The Chairman reported the Bill complete with Amendments.

Ordered that report be agreed to.

Also in Comtee. "The Victoria Incorporation Amendment Act, 1866" Recommitted on Clauses 7, 8, and 9.

Dr. Dickson in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received and leave granted."

Bills read 3o.

On question "that the Standing Orders be suspended and 'the Nanaimo Incorporation Act, 1866' be now read 3o." The House divided.

Ayes: 5.

Noes: 2.

Messrs. Cunningham
De Cosmos
Dennes
Dickson
McClure

Messrs. Powell
Trimble

The Bill was then read 3o and passed.

On question put "that the House adjourn till tomorrow, the House divided.

Ayes: 5.

Noes: 2.

Messrs. Cunningham
Dennes
De Cosmos
Dickson
McClure

Messrs. Powell
Trimble

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 29th day of March, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Cunningham, Dennes, De Cosmos, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion for Tuesday (3rd Proximo).³⁵

Mr. De Cosmos rose to call the attention of the Speaker to the prolonged absence without leave of Selim Franklin Esqre. Member for the City of Victoria—and moved “that the Seat for the City of Victoria held by Selim Franklin Esqre. be declared vacant and a Writ be issued for the Election of a member to serve in his stead.”

Mr. Cunningham seconded.

Mr. Speaker declined to put the question to the House until the opinion of the Attorney General had been taken upon the point of Law raised by “the Act providing for the resignation and vacating of Seats in the House of Assembly” passed in 1859 being in conflict with the terms of “The Franchise Act, 1859.”³⁶

Mr. Speaker would therefore defer the subject until the next meeting of the House.

On motion of Mr. McClure, 2nded by Mr. De Cosmos Read 1o “The District Municipal Act, 1866.”

Ordered that above Bill be printed.

On motion of Mr. Cochrane, 2nded by Mr. De Cosmos *Ordered* “That the Standing Orders of this House be suspended and A Committee be forthwith appointed to communicate with the Honble. The Colonial Secretary to request that he will cause the Returns of the ‘lots sold for Colonial or Municipal Taxes with names of the owners and purchasers’ to be printed in the next issue of the Government Gazette.”

In Committee—Recommitted Clauses 7, 8, 9, of “The Victoria Incorporation Amendment Act, 1866.”

Dr. Dickson in the Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be received, and leave granted.

³⁵ Motion Book, 1865–66, p. 38: “On Tuesday next I will ask leave to introduce a Bill to provide certain fees to be taken by Justices of the peace other than Stipendiary Magistrates, for the performance of their magisterial duties, and also to enable the said Justices to compensate constables employed by them in furthering the ends of Justice.”

³⁶ The Act to Provide for the Resignation and Vacating of Seats in the House of Assembly in the Colony of Vancouver Island and for the Election of Members on Vacancies, 1859, section 2, stated a member’s seat would become vacant if a member was absent without leave for one whole session of the Legislature; the Franchise Act, 1859, section 7, stated a writ for a new election should be issued after three months absence without leave.

On question proposed "that the House adjourn till Tuesday next," (tomorrow being Good Friday).

Mr. De Cosmos moved An Amendment, 2nd by Mr. McClure "That the House adjourn till Saturday next (1st April) [31st March]."

For the Amendment

Ayes: 4.

Messrs. Cunningham
Dickson
McClure
De Cosmos

Noes: 3.

Messrs. Ash
Powell
Trimble

The Amendment was therefore carried, and the House adjourned till Saturday at 3 p. m.

Speaker.

J. S. Helmcken

Saturday, the 31st day of March, 1866

The House did not sit.

J. S. Helmcken

Speaker

Wednesday, the 4th day of April, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dennes, Dickson, De Cosmos, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

Dr. Powell rose to state that to him, conjointly with the 2nd Senr. Member for Victoria District (Dr. Trimble), had been confided the obligation of asking leave of absence for Selim Franklin Esqre. upon the opening of the present Session; that he had not deemed it necessary to apply for that leave, inasmuch as it was tacitly understood that the required leave would be accorded by the House. As, however, a question had been raised, he would now move "that leave be granted to Selim Franklin Esqre. until the end of the present Session."

Dr. Trimble seconded.

Mr. Speaker informed the House that the opinion of the Attorney General in reference to the point of law raised by the "Act providing for the resignation and vacating of Seats in the House of Assembly" passed in 1859, being in conflict with the terms of the "Franchise Act, 1859", was, that the latter Act must apply.

Mr. De Cosmos moved An Amendment "that the Seat of Selim Franklin Esqre., as Member for Victoria City, be declared vacant, and a new Writ be issued for the election of a member to serve in his stead."

Mr. McClure seconded.

Dr. Dickson moved an Amendment "that the seat be declared vacant."

Dr. Ash seconded.

Mr. De Cosmos moved for leave to withdraw his motion in favor of Dr. Dickson's—motion negatived on the objection of Dr. Powell.

Mr. De Cosmos's Amendment was then put—and the House divided.

Ayes: 4.

Messrs. De Cosmos
Dennes
Dickson
McClure

Noes: 5.

Messrs. Carswell
Cochrane
Trimble
Ash
Powell

Mr. De Cosmos' Amendment was therefore lost.

Dr. Powell's motion "that leave be granted &c." was then put.

For the motion.

Ayes: 3.

Messrs. Carswell
Powell
Trimble

Noes: 5.

Messrs. Ash
Cochrane
Dennes
McClure
De Cosmos

The Motion was therefore lost.

Dr. Dickson's Amendment "that the seat be declared vacant &c." was then put.

Ayes: 6.

Messrs. De Cosmos
Dennes
McClure
Ash
Cochrane
Dickson

Noes: 3.

Messrs. Carswell
Powell
Trimble

The Motion was therefore carried and the Seat of Selim Franklin Esqre. as Member for the City of Victoria was declared vacant.

On question put from the Chair "that a new Writ be issued for the City of Victoria" the House divided.

Ayes: 4.

Messrs. De Cosmos
McClure
Dickson
Dennes

Noes: 5.

Messrs. Ash
Carswell
Cochrane
Powell
Trimble

In reply to a question by Mr. McClure—as to whether, or not, “the vacation of the seat did not necessitate the issue of a new Writ”—Mr. Speaker stated that during the Session of Parliament a new Writ could not be issued without the order of the House.

Order of the day, in Committee “The Victoria Incorporation Amendment Act, 1866.”

Dr. Dickson in the Chair.

The Chairman reported the Bill complete as amended.

On question “that report be adopted” Mr. McClure moved An Amendment “that the Bill be recommitted.”

Mr. De Cosmos 2nded.

The House divided.

For Mr. McClure’s Amendment

Ayes: 3.

Messrs. McClure

De Cosmos

Dickson

Noes: 3.

Messrs. Carswell

Cochrane

Trimble

Mr. Speaker gave his casting vote against the Amendment and the report of the Committee was adopted.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 5th day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

On motion of Dr. Dickson, seconded by Mr. De Cosmos Leave was granted to introduce “A Bill to provide certain fees to be taken by Justices of the Peace other than Stipendiary Magistrates for the performance of their Magisterial duties and also to enable the said Justices to compensate Constables employed by them in furthering the ends of Justice.”

Bill read 3o and passed

“The Victoria Incorporation Amendment Act, 1866” An Amendment by Mr. McClure, seconded by Dr. Dickson “to recommit the Bill” having been lost.

For Mr. McClure’s Amendment

Ayes: 3.

Messrs. McClure

De Cosmos

Dickson

Noes: 4.

Messrs. Ash

Trimble

Carswell

Powell

Order of the Day. In Committee.

The Patent Act, 1866.

The Native Evidence Act, 1866.

Dr. Dickson in the Chair.

The Chairman reported, in regard to the first, "The Bill complete as amended"; in regard to the second, "progress and asked leave to sit again."

Ordered that reports be agreed to respectively.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker

Friday, the 6th day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Dennes, De Cosmos, Dickson, McClure, Powell.

The last minutes having been read and confirmed.

On motion of Mr. McClure, 2nded by Mr. De Cosmos Ordered "that a new Writ do issue for the election of a member for the district of the City of Victoria, vice Selim Franklin Esqre. whose seat has been declared vacant."

Read 3o. "Patent Act, 1866."

Order of the day—In Committee.

The Native Evidence Act, 1866.

The Indian Liquor Law Amendment Act, 1866.

Mr. Dennes in the Chair.

The Chairman reported, in regard to the first—that he had not any report to make; in regard to the second, Progress—and asked leave to sit again.

Ordered that reports be agreed to respectively.

Mr. Carswell gave notice of Motion.³⁷

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

³⁷ *Chronicle*, 7 April 1866: "Mr. Carswell moved that a writ do issue for the return of a member for Esquimalt Town district in room of Mr. Southgate, absent in England."

Monday, the 9th day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dickson, McClure, Ash, Powell, Trimble, De Cosmos.

The last minutes having been read and confirmed.

On motion of Mr. Carswell, it was Ordered That a new Writ do issue for the Town of Esquimalt—vice J. J. Southgate Esqre. whose seat has been rendered vacant by limitation of absence without leave, under the terms of "The Franchise Act, 1859."

Bill read 2o. and committed.

The District Municipal Act, 1866.

Mr. De Cosmos, from the Select Committee on Private Bills reported that the Promoters of "The Spring Ridge Water Works Co. (Lim.);" had proven the Preamble to their Bill; and that the Comtee. begged to report the Bill favorably to the House.

Ordered that the report lie on the table.

Bill in Comtee.

The Indian Liquor Act, 1866.

Mr. McClure in the Chair.

The Chairman reported the Bill complete as amended.

On question proposed "that report be adopted" Dr. Dickson moved An Amendment "that the Bill be recommitted" which was carried unanimously.

Accordingly the Bill was ordered to be recommitted.

The House then adjourned till Wednesday next at 1 p. m.

J. S. Helmcken
Speaker

Wednesday, the 11th day of April, 1866

A quorum not being present, the House was counted out.

Present: Mr. Speaker and Messrs. Powell, Tolmie, Carswell.

J. S. Helmcken
Speaker

Thursday, the 12th day of April, 1866

A quorum not being present, the House was counted out.

Present: Mr. Speaker and Messrs. Dickson, McClure.

J. S. Helmcken
Speaker.

Friday, the 13th day of April, 1866

A quorum not being present, the House was counted out.

Present: Mr. Speaker.

J. S. Helmcken
Speaker

Monday, the 16th day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, Duncan, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was received from the Honble. Legislative Council transmitting "A Bill Entitled An Act to establish a Volunteer Force" which was Read 1o. and Ordered to be printed.

On motion of Mr. Cochrane, 2nded by Dr. Dickson—Ordered "That the Standing Orders be suspended and leave be granted to introduce 'A Bill Entitled An Act to amend The Real Estate Tax Amendment Act, 1862.'"

Read 1o. The above Bill On motion of Mr. Cochrane, 2nded by Dr. Dickson.

On motion of Mr. Cochrane, seconded by Dr. Dickson "That the Standing Orders be suspended in order that the above Bill might be read 2o."

Ordered—that the Standing Orders be suspended.

The above Bill was then read 2o. and committed.

On motion of Dr. Dickson, 2nded by Mr. Cochrane Read 1o. "A Bill Entitled An Act to provide fees for Justices of the Peace and Constables."

On motion of Mr. Cochrane, 2nded by Dr. Dickson *Ordered* that the Order of the Day be discharged.

The House then went into Committee upon A Bill Entitled An Act to amend the "Real Estate Tax Amendment Act, 1862."

Dr. Trimble in the Chair.

The Chairman reported the Bill complete as amended.

Ordered that report be agreed to.

On motion of Mr. Cochrane, 2nded by Mr. De Cosmos

The Standing Orders were suspended and "A Bill entitled An Act to amend the Real Estate Tax Amendment Act, 1862" was read 3o. and passed.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Tuesday, the 17th day of April, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Duncan, Dickson, McClure, Powell, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 17)³⁸ was read from His Excellency the Governor transmitting copy of a telegram from San Francisco conveying intelligence of the loss of the Steamer Labouchere.

His Excy. further asks the House for authority to enter into some permanent arrangement for the transport of the Mails.

On motion of Mr. De Cosmos, the House was cleared of Strangers; and, the Standing Orders having been suspended, went into Committee on His Excellency's Communication above.

Mr. Cochrane in the Chair.

The Chairman reported that the Committee having had under consideration the above mentioned subject has Resolved "That this House, having had under consideration the Message of His Excy. The Governor respecting the loss of the Mail Steam Ship Labouchere, and in reply thereto, would recommend His Excy. to make the best arrangement possible to effect direct Mail Communication between Victoria and San Francisco; and, if no other alternative offers, to make a contract with the Steamship line plying between San Francisco and New Westminster, viâ Victoria."

Ordered "that report be agreed to."

On motion of Dr. Powell, 2nded by Dr. Dickson Ordered that a Committee of three, with Mr. Speaker, wait upon His Excellency the Governor to present

³⁸ Messages to House, 17 April 1866.

the above Resolution and to explain to His Excy. the views of the House thereupon.

Comtee. appointed: Messrs. Ash, Cochrane, Powell.

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 19th day of April, 1866

A Quorum not being present, the House was counted out.

Present: Mr. Speaker and Messrs. Carswell, De Cosmos, McClure.

J. S. Helmcken
Speaker

Friday, the 20th day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dennes, Dickson, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication was received from the Honble. Legislative Council returning "The Real Estate Tax Amendment Act, 1862" with amendments by the Honble. Legtve. Council.

In reply to a question by Dr. Trimble—Mr. Speaker ruled "That the Bill must be held to be a money Bill, inasmuch as it involves a charge upon the people."

On motion of Dr. Dickson, 2nded by Mr. Cochrane, The Standing Orders were suspended, and it was Resolved "That the amendments to the Bill now before the House have caused it to assume the character of a Money Bill, and therefore are a direct infringement upon the rights of this House, which it is the duty of this House to guard against; but, as the emergency of the case is peculiar and urgent and admits of no delay, this House, whilst putting on record its disapproval of any attempt being made on the part of the Legislative Council to invade its exclusive prerogative of introducing money measures, will permit the Amendments to be considered."

Ordered "that the Order of the day be discharged, and that 'The Real Estate Tax Amendment Act, 1866' with the Amendments of the Honble. Legislative Council be sent to Committee."

Mr. Speaker then left the Chair.

Dr. Trimble in Chair of the Comtee.

Mr. Speaker resumed the Chair.

The Chairman reported that he had not any report to make.

Dr. Trimble begged to call the attention of the Honble. Speaker to the fact that the Honble. Member for Salt Spring and Chemainus (Mr. Dennes) was sitting and voting in the House after having been declared A Bankrupt. His authority for making this statement was the publication of the Adjudication in the Daily Newspapers.

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Monday, the 23rd day of April, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Powell, Trimble, Dr. Tolmie.

The last minutes having been read and confirmed.

Mr. Speaker, referring to the allegation charged, during the last sitting of the House, by the Honble. 2nd Member for Victoria District (Dr. Trimble) against the Honble. Member for Salt Spring Id. and Chemainus, stated, "that a return had been transmitted to this House from the Acting Registrar of the Supreme Court to the effect that George Edgar Dennes, Attorney and Scrivener of Langley Street Victoria, was adjudicated a Bankrupt on the 8th day of Feby. last."

Mr. Speaker also informed the House that he had addressed a letter to the Honble. Member for "Salt Spring Id. & Chemainus" on this subject, and in reply had received a communication alleging in defence—"First, 'that there is no duly constituted Court of Bankruptcy in the Colony, and (had there been) that the proceedings taken against him were irregular'; Second, 'that he was in possession of an instance of a case decided in 1863, where the Court held that a Member of the House of Commons cannot be made the subject of a Judgment Debtor Summons under the 76th Section of the "Bankruptcy Act, 1861", as not being a person against whom a Writ of *Ca. Sa.* can be sued out or who can be charged in Execution.'"

Mr. De Cosmos, 2nded by Mr. McClure, moved, "that the question of the validity of the seat held by the Honble. Member for Salt Spring Isd. and Chemainus be referred to a Select Committee on Privileges."

Mr. Cochrane, 2nded by Dr. Trimble, moved "that the Seat for Salt Spring Island and Chemainus be declared vacant."

The House then divided.

For the Amendment

Ayes: 6.

Messrs. Carswell
Cochrane
Dickson
Powell
Tolmie
Trimble

Noes: 2.

Messrs. McClure
De Cosmos

The amendment was therefore carried.

Ordered "that the Seat for Salt Spring Island and Chemainus be declared vacant."

Mr. Cochrane moved "that the Standing Orders of the House be suspended, in order to bring under consideration of the House, without the usual Notice, the following Resolution":

That an humble Address be presented to His Excellency the Governor praying that he would instruct the Treasurer of Vancouver Island to pay to the purchasers of lots sold on 24th April, 1865, by the Sheriff, for arrears of taxes, the amount paid by them, and the twenty per cent thereon, as required by law, to enable the owners of the property to liquidate the same within twelve months.

Dr. Dickson 2nded.

On question put "that the Standing Orders be suspended" The House divided.

Ayes: 6.

Messrs. Cochrane
Carswell
Dickson
Powell
Trimble
Tolmie

Noes: 3.

Messrs. Ash
De Cosmos
McClure

The Motion was therefore carried.

On motion of Mr. Cochrane, 2nded by Dr. Dickson "That the Resolution (above) be read 1o." The House divided.

Ayes: 6.

Messrs. Carswell
Cochrane
Dickson
Powell
Tolmie
Trimble

Noes: 3.

Messrs. Ash
De Cosmos
McClure

The Resolution (above) was then read 1o.

On question moved by Mr. Cochrane, seconded by Mr. Dickson "That the Standing Orders be suspended in order to expedite the 2nd Reading of the above Resolution" The House divided.

Ayes: 5.

Messrs. Carswell
Cochrane
Dickson
Powell
Trimble

Noes: 2.

Messrs. De Cosmos
McClure

The Standing Orders were then suspended, and the above Resolution was read 2o.

On question moved by Mr. Cochrane, 2nded by Dr. Dickson, "That the Standing Orders be suspended in order to expedite the 3rd Reading of the above Resolution."

Mr. McClure, seconded by Mr. De Cosmos, moved "to leave out after the word 'that' to the end of the Sentence, in order to insert the words 'the above Resolution be committed.'"

Question put "that the above Resolution be committed."

Ayes: 2.

Messrs. McClure
De Cosmos

Noes: 5.

Messr. Cochrane
Dickson
Powell
Trimble
Carswell

The Standing Orders having been suspended, it was moved by Mr. Cochrane, 2nded by Dr. Dickson, "that the above Resolution be read 3o.

Mr. McClure, 2nded by Mr. De Cosmos, moved an Amendment "That in the opinion of this House, His Excellency the Governor cannot legally, in the present state of the law, redeem lots sold for taxes; and that any purchaser of lots sold for taxes, or other person, may obtain an injunction from the Supreme Court to stop the Treasurer from paying money out of the General Revenue to redeem lots sold for taxes in April 1865; and that any purchaser of lots sold for taxes may refuse legally to accept any money in redemption of lots sold for taxes, except such money be paid to the Treasurer by the owner of lots sold for taxes, or his heirs, or assigns, as required by Section XLVIII of 'the Real Estate Tax Amendment Act 1862.'"

The House having remained uninterruptedly in Session from 1:15 p. m. April 23rd until 1:15 p.m. April 24th—it was moved by Mr. Dickson, 2nded by Mr. Carswell—"That the House do adjourn for one week, viz.: till Tuesday, 1st May, at 3 p. m."

Carried unanimously.

The House then adjourned accordingly.

J. S. Helmcken
Speaker.

Wednesday, the 2nd day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, Powell, Trimble.

The last minutes having been read and confirmed.

New Member sworn—Charles Bedford Young Esqre. for Victoria City, vice Selim Franklin Esqre., whose seat has been declared vacant.

A Communication was received from the Honble. Legislative Council transmitting further Amendments by the Honble. Legtve. Council to the Amendments of the Legislative Assembly to "The District Courts Act, 1866."

Ordered to lie on the table.

Bills Read 2o. and committed.

The Justices and Constables Fees Act, 1866.

The Spring Ridge Water Works Act, 1866.

On question put "That 'the Justices and Constables Fees Act, 1866' be printed"—the House divided.

Ayes: 2.

Messrs. De Cosmos
Dickson

Noes: 3.

Messrs. Carswell
Powell
Young

Order of the Day. In Committee—"The Investment, Savings and Loan Societies Bill, 1866."

Dr. Dickson in the Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be agreed to.

Dr. Ash gave Notice of Motion "That the House at a future day resolve itself into Committee of the whole to consider the steps expedient to be taken in relation to the 'Dredging Machine.'"

The House then adjourned till tomorrow at 3 p.m.

J. S. Helmcken
Speaker

Thursday, the 3rd day of May, 1866

The House met this day at 3:15 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, De Cosmos, McClure, Trimble, Young.

The last minutes having been read and confirmed.

Dr. Dickson gave notice of Motion, for next meeting, that the House resolve itself into Committee to take into consideration The Sanitary Condition of, and the abatement of nuisances in, the City of Victoria.

Ordered for Monday next.

"District Courts Act, 1866," Further Amendments by the Honble. L. C. to the Amendments by the L. Assembly thereto—Ord. for Monday next.

Ordered for Monday next—Spring Ridge W. W. Co. (Lim.) Bill In Committee.

On question put that the House adjourn till Monday next (May 7) The House divided.

Ayes: 3.

Messrs. Dickson
Trimble
Young

Noes: 2.

Messrs. McClure
De Cosmos

The House then adjourned till Monday (May 7th) at 1 p.m.

J. S. Helmcken
Speaker.

Monday, the 7th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

The Order of the Day having been read for the 2nd Reading of "The Volunteer Act, 1866" Mr. Speaker ruled that the Act was in effect a Money Act, and was an infringement of the Prerogative of this House.

The 2nd Reading of "The Volunteer Act, 1866" was then negatived unanimously.

The order of the Day having been read for the 1st Reading of the Amendments by the Honble. L. Council to "The District Court Act, 1866."

On motion of Dr. Tolmie, 2nded by Mr. Young it was Ordered that the Honble. L. Council be invited to confer with this House upon the subject of its Counter amendments to the Amendments of this House to the above last mentioned Bill.

Bills in Committee.

The Investment Savings and Loan Societies Bill, 1866.

The Spring Ridge Water Works Co. (Lim.) Bill, 1866.

Dr. Trimble in the Chair

The Chairman reported—In regard to the first The Bill complete as amended. In regard to the Second—Progress & asked leave to sit again.

Ordered That reports be agreed to respectively.

Mr. Young gave Notice of Motion.³⁹

The House then adjourned till Wednesday (9th Inst.).

J. S. Helmcken
Speaker.

Wednesday, the 9th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dickson, McClure, Young, Powell, Trimble.

The last minutes having been read and confirmed.

Bill read 3o.

The Investment, Savings, and Loan Societies Act, 1866.

On motion made by Mr. Young, seconded by Mr. De Cosmos, and question put "That leave be granted to introduce 'A Bill entitled An Act to establish A Volunteer Force, 1866.' " The House divided.

Ayes: 2.

Messrs. Young
De Cosmos

Noes: 4.

Messrs. Carswell
Dickson
McClure
Trimble

The Motion was therefore resolved in the negative.

The House then went into Committee of the whole, to consider the question of "The Sanitary Condition of, and the abatement of nuisances in, the City of Victoria."

Dr. Trimble in the Chair.

The Chairman reported that he had been ordered to report "A Bill Entitled An Act to authorize the appointment of a Sanitary Commission for Vancouver Island and its Dependencies and to define the powers thereof."

Ordered, "that report be agreed to."

On motion of Mr. McClure, 2nded by Dr. Trimble, it was Ordered "that the Standing Orders of the House be suspended in order to expedite the passing of the above Act."

The above last mentioned Bill was read a first, and second time and ordered to go to Committee.

The Standing Orders having again been suspended, and the Order of the Day discharged, the House went into Committee upon the above Bill.

Dr. Trimble in the Chair.

The Chairman reported that he had been ordered to report A Bill "Entitled An Act to authorise the Appointment of a Sanitary Commission for Vancouver Island and its Dependencies, and to define the powers thereof" complete as amended.

³⁹ Motion Book, 1865-66, p. 39: "To bring in a Bill Entitled An Act to establish a Volunteer Force."

Ord. that report be agreed to.

On motion of Mr. McClure, seconded by Dr. Dickson, it was Ordered "that the Standing Orders of the House be suspended in order to expedite the 3rd Reading of the above Bill."

"The Sanitary Commission Act, 1866" was then read 3o. and passed.

New Writ for Salt Spring Island and Chemainus—in the room of George Edgar Dennes Esqre. On motion of Dr. Powell, seconded by Mr. De Cosmos.

A Communication from The Honble. L. Council having been read appointing 3 p. m. on Friday (11th Inst.) to meet the House in conference upon "The District Court Act, 1866."

The House adjourned till Friday (11th Inst.) at 1 p. m.

J. S. Helmcken
Speaker

Friday, the 11th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Dickson, De Cosmos, McClure, Trimble.

The last minutes having been read and confirmed.

A Communication was received from the Honble. Legislative Council transmitting certain Amendments to "A Bill to amend the Franchise Act, 1859."

Amendments read 1o.

Mr. Speaker appointed Dr. Ash (*vice* Dennes) to *Select Committee* on "Postal Bill" (Messrs. Ash, McClure, Tolmie).

In Comtee. "Spring Ridge Water Works Co. (Lim.) Bill."

Dr. Trimble in the Chair.

Chairman reported progress and asked leave to sit again.

Ordered that report be agreed to.

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 14th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, McClure, Dickson, Carswell, De Cosmos, Young, Tolmie.

The last minutes having been read and confirmed.

Dr. Ash from the Select Committee Ordered by the House (15 Feb.) to examine and report upon "A Bill entitled An Act to establish the Postal Service" from the Honble. Legislative Council, brought up the report of that Committee.

Mr. Young, as one of the Managers, brought up the report of the Conference with the Honble. Legislative Council, holden on the 11th Inst. on the subject of the counter Amendments by the Honble. L. C. to the Amendments by the Legislative Assembly to "The District Court Act, 1866."

Read 2o. and committed.

Certain Amendments by the Honble. Legislative Council to "A Bill entitled An Act to amend the Franchise Act, 1859."

In Committee.

The Spring Ridge Water Works Co. (Lim.) Bill, 1866.

Mr. McClure in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be agreed to."

The House then adjourned till Wednesday next at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 16th day of May, 1866

A quorum not being present, the House was counted out.⁴⁰

Present: Mr. Speaker and Messrs. Dickson, Trimble, Young.

J. S. Helmcken
Speaker.

Friday, the 18th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, McClure, Powell, Trimble, Young.

The last minutes having been read and confirmed.

Edward Stamp Esqre. took the oaths and his seat for the Town of Esquimalt.

A Communication (No. 18—1866)⁴¹ was read from His Excellency the Governor transmitting, in reply to a Resolution of this House passed on the 8th January,

⁴⁰ The House convened on Thursday but could not form a quorum. *Colonist*, 18 May 1866.

⁴¹ Messages to House, 14 May 1866.

1866, a Despatch from the Rt. Honble. the Secretary of State for the Colonies on the subject of "Reciprocity with the United States of America."

Also a Communication (No. 19—1866)⁴² from His Excellency The Governor transmitting a Copy of "Reports received from H. Ms. Secretaries of Embassy and Legation respecting Coal."

Also a Communication from the Honble. Legislative Council transmitting "A Bill to amend the Liquor Licence Act, 1861" with Amendments by the Honble. Legislative Council.

Amendments read 1o.

The Amendments to "The District Court Act, 1866" reported, from the Conference, on the 14th Inst. were read (as follows) and agreed to.

Clause XVI to read thus.

It shall not be necessary for the Plaintiff or the Defendant in any suit to be brought or pending in any District Court to employ A Barrister or Attorney to appear and conduct any such suit; but any such Plaintiff or Defendant either personally or through his Clerk, Agent, or Attorney-in-fact may with permission of the Judge conduct and manage any such suit—Provided always that all such services shall be performed without any charge for or in lieu of legal fees in any such suit to which any such Plaintiff or Defendant may be a party.

Dissentiente Mr. De Cosmos.

Clause XVII. Lines 3, 4, & 5, to be struck out the words commencing with "unless such Barrister" to the end of the Clause, and insert the following words "if the Judge shall certify to deprive the party of such Costs."

The Clause to read thus.

Neither the Plaintiff nor the Defendant in any suit in any District Court shall be liable to pay Costs for the Services of any Barrister or Attorney employed in any suit in any such District Court, if the Judge shall certify to deprive the party of such costs.

Dissentiente Mr. De Cosmos.

In Committee "Spring Ridge Water Works Co. (Lim.) Bill."

Dr. Trimble in the Chair.

The Chairman reported the Bill complete as amended.

Ordered that report be received and agreed to.

Dr. Dickson gave Notice of Motion for certain Returns of sums borrowed from the Banks in this Colony &c. for next meeting of the House.

The House then adjourned till Monday next at 1 p. m.

J. S. Helmcken
Speaker.

⁴² Messages to House, 15 May 1866.

Monday, the 21st day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Powell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

On motion of Dr. Dickson, seconded by Mr. De Cosmos, it was Ordered That a humble Address be presented to His Excy. the Governor praying that he will cause to be laid upon the table of this House, the following Returns.

1. A return of the Sums of money borrowed from the respective Banks of this Colony and due at the expiration of the year 1865; also the amount borrowed during the year 1866 and now owing on account of the General Revenue.

2. A return showing the authority under which the Governor negotiated such loans respectively.

Bills in Committee.

An Act to amend the Indian Liquor Act, 1860.

The District Municipal Act, 1866.

Mr. Young in the Chair.

The Chairman reported that he had been Ordered to report. In regard to the first the Bill complete as amended. In regard to the Second "that he had not any report to make."

Ordered that reports be agreed to respectively.

Dr. Trimble gave notices of motion (2).⁴³

The House then adjourned till Wednesday next at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 23rd day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, Dickson, McClure, Tolmie, De Cosmos, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

⁴³ *Chronicle*, 22 May 1866: "That a humble address be presented to His Excellency the Governor praying that he will cause to be laid upon the table of this House 'The Audited Accounts of 1865'." Motion Book, 1865-66, p. 40. "Dr. Trimble gave notice of a bill to amend the Road Act."

Dr. Trimble gave Notice of Motion for Monday next.⁴⁴

Mr. Young „ „ „ „ „ „ „ „ 45

On motion of Dr. Trimble, seconded by Dr. Dickson, it was "Ordered that a humble Address be presented to His Excy. the Governor praying that he will cause to be laid upon the table of this House the Audited Accounts of 1865."

The order of the day for the 3rd Reading of "The Indian Liquor Law Repeal Act, 1866" having been read On motion of Dr. Tolmie, seconded by Dr. Trimble, it was Ordered "that the above mentioned Act be recommitted."

The order of the day having been read for the 3rd Reading of "The Spring Ridge Water Works Co. (Lim.) Bill."

On motion of Dr. Dickson, 2nded by Mr. Young, it was Ordered "that Clause 2 of the said last mentioned Bill be recommitted."

On motion of Mr. Young, 2nded by Dr. Dickson, it was Ordered "that Clause 12 of the said last mentioned Bill be recommitted."

On the latter motion the House divided.

Ayes: 4.

Messrs. Dickson
Young
Stamp
Trimble

Noes: 3.

Messrs. De Cosmos
McClure
Tolmie

2nd Reading of certain Amendments by the Honble. L. Council to "An Act to amend the Liquor Licence Act, 1861."

Clause I, line 9—For "towns" read "town."

Agreed to.

Clause I, line 10 Strike out the words "on any road within the said Colony."

Agreed to.

On question put that the following Amendment by the Honble. L. C. viz.: "After the words 'Esquimalt or' insert the words 'Colville Town'" do pass.

Mr. Young moved An Amendment, 2nded by Dr. Dickson, that the Amendment of the Honble. L. C. be amended to read thus: "Colville Town known as the town of Nanaimo."

For Mr. Young's Amendment

Ayes: 2.

Messrs. Dickson
Young

Noes: 5.

Messrs. De Cosmos
McClure
Tolmie
Trimble
Stamp

The amendment was therefore lost.

⁴⁴ Motion Book, 1865-66, p. 41: "I give notice that on Monday next I will move that the House resolve itself into Com. to consider what Amendments are necessary to the Road Act 1860".

⁴⁵ Motion Book, 1865-66, p. 41: "That the governor be respectfully requested to inform this House whether he has entered into any contract for direct steam communication between this port and San Francisco by virtue of a resolution of this House of the 17th April last, & to state the conditions of the contract if any has been made."

On question put "that the above last mentioned Amendment by the Honble. L. Council do pass"—it was resolved in the negative (Dissentiente Dr. Dickson); the House adhering to the original text of the Bill.

Clause II. Insert at end of Clause the words "in respect of previous occupancy."

Agreed to.

Clause III. after—insert the following new Clause. [Agreed to.]

Clause IV. for the purposes of this Act, Colville Town, Nanaimo, shall be the tract of land included within a circle the radius of which shall extend one half mile from the site of the old Bastion of the Hudson's Bay Company.

On motion of Mr. McClure, 2nded by Mr. De Cosmos, it was Ordered "that the words 'Colville Town' be erased, and the word 'town' be inserted after the word 'Nanaimo' in 2nd line." To Preamble add the words "And to make other provisions in relation thereto" (agreed to).

The Amendments of the Honble. L. C. as amended by the L. A. were read 2o. and agreed to.

In Committee "The Postal Act, 1866."

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again; also a "question of order" raised in Committee and referred to Mr. Speaker in Chair as to whether said Bill was or was not a Money Bill.

Mr. Speaker ruled that as under the above Bill a charge might be involved upon the people it must be deemed A "Money Bill."

Ordered—that above Bill be rejected, as being out of order.

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 28th day of May, 1866

Present: Mr. Speaker and Messrs. Dickson, Tolmie, Young.

A quorum not being present the House did not sit.

J. S. Helmcken
Speaker

Tuesday, the 29th day of May, 1866

Present: Mr. Speaker and Mr. Carswell.

A quorum not being present the House did not sit.

J. S. Helmcken
Speaker

Wednesday, the 30th day of May, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, De Cosmos, Dickson, McClure, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

A Communication (No. 20) was read from His Excellency The Governor, in reply to an address from the Legislative Assembly dated 21st May/66 (R. f. 432 [p. 477 above]) for Returns of "Sums of money borrowed from the respective Banks of this Colony and due at the expiration of the Year 1865; also the amounts borrowed during the year 1866 and now owing on account of the General Revenue" and a Return "Showing the Authority under which the Governor negotiated such loans respectively."⁴⁶

Also A Communication, in reply to An Address of this House, from His Excellency the Governor (No. 21) concerning the "Audited Accounts for 1865" stating "that in consequence of the Audit of Accounts of the Government of Vancouver Island having been Six months in arrear upon cessation of the arrangement under which the Public Accounts of V. Id. were audited by the present Auditor General of British Columbia, the audit of the Accounts was as yet incomplete (for 1865) but that they would be shortly disposed of and transmitted to this House."⁴⁷

On motion of Dr. Dickson, seconded by Dr. Trimble, it was Ordered "That His Excellencys Communication No. 20 be the Order of the day in Committee for Monday next (4th proximo)."

John Trevasso Pidwell Esqre. having been presented to Mr. Speaker as Member Elect for the District of Salt Spring Island and Chemainus, was proceeding to take the Oaths, when Mr. Young rose to a question of Privilege, which question affected the validity of the property qualification of the newly elected Member under the terms of the "Franchise Act, 1859."

Mr. Speaker ruled that the question of Privilege so raised was not in order, and that the Honble. Member whose return had been duly made to him by the Clerk of the Crown in Chancery proceed at once to take the oaths and declaration required.

Mr. Pidwell then took the oaths and his seat for Salt Spring Island and Chemainus, vice Mr. Dennes.

Mr. Young then rose to a question of Privilege and moved "That the qualification of the Honble. Member for Salt Spring Island and Chemainus be referred to an Election Committee."

Ordered that the election Committee (in re above) be balloted for, at next meeting of the House.

Mr. Young gave Notice of Motion—(Tariff Act /65 B. C.).

⁴⁶ Messages to House, 26 May 1865.

⁴⁷ Messages to House, 26 May 1865.

On motion of Mr. Young, 2nded by Dr. Dickson, it was Ordered "that a humble Address be presented to His Excy. the Governor praying that he will inform this House whether he has entered into any contract for direct Steam Communication between this port and San Francisco, by virtue of a Resolution of this House, dated 17 April last; and that His Excellency will be pleased to inform this House what the conditions are, if any such contract has been made." (Dissentiente Mr. Carswell).

Bills in Committee.

Spring Ridge Water Works Co. (Lim.) Bill.

Justices and Constables Fees Bill.

And "The Franchise Amendment Act 1866" as amended by the Honble.

L. C.

Dr. Trimble in Chair.

The Chairman reported

In regard to the 1st—the Bill complete as amended.

" " " " 2nd—Progress, and asked leave to sit again.

" " " " 3rd—Progress and asked leave to sit again.

Ordered that reports be agreed to respectively.

Ord. "that the Amendments by the Honble. L. Council to "The Franchise Amendment Act 1866" be printed.

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 1st day of June, 1866

A quorum not being present the House was counted out.

Present: Mr. Speaker and Messrs. Dickson, Young, Cochrane.

J. S. Helmcken
Speaker

Monday, the 4th day of June, 1866

A quorum not being present the House was counted out.

Present: Mr. Speaker and Messrs. Carswell, Dickson, Young.

J. S. Helmcken
Speaker.

Tuesday, the 5th day of June, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, Carswell, Cochrane, McClure, Pidwell, Powell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

A Communication (with enclosure) from H. Excellency the Governor dated 1st June, 1866, marked "confidential"⁴⁸ was read Strangers having been ordered to withdraw.

On motion of Dr. Dickson, seconded by Dr. Trimble, it was Ordered "that H. Excys. Communication (above) be considered, with H. Excys. *Communication* (No. 20) dated 26th Ult., in Committee of the whole House this day."

Ordered—that the House be again open to Strangers.

Bill read 3o. and passed.

Spring Ridge Water Works Co. (Lim.) Bill.

On motion of Mr. Young, 2nded by Mr. Cochrane, it was Ordered "that a humble Address be presented to His Excy. the Governor praying that he will lay before this House the views of H. M.s Government, if he has received them, respecting the 'Tariff Act, 1865' passed by the Legislature of British Columbia which Act virtually imposes differential duties on goods received from Vancouver Island at the ports of that Colony; also, praying His Excellency to inform this House what steps he has taken, if any, to prevent the said Act from receiving the sanction of H. M.'s Government."

On motion of Mr. Young, seconded by Dr. Dickson, it was Ordered "that the question of the property qualification of the Honble. Member for Salt Spring Island and Chemainus be referred to an Election Committee."

Committee was then balloted for, as follows: Mr. McClure (Chairman), Messrs. Carswell, Cochrane, Stamp, Tolmie.

The House then considered in Committee the Communications of His Excellency (No. 20) dated 26th May, 1866 and 1st June, 1866 (marked "confidential").

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received, and leave granted."

Dr. Ash gave notice of motion.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker

⁴⁸ Returns to House, 1 June 1866, transmitting a letter dated 31 May 1866 from the Manager of the Bank of British Columbia, J. G. Shepherd, informing him that the Government overdraft stood at \$79,567.00 and that no further advances would be made unless approved by the directors of the Bank.

Wednesday, the 6th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Pidwell, Tolmie, Trimble, Powell, Young.

The last minutes having been read and confirmed.

Dr. Trimble, from the Committee appointed to draft the "Supply Bill" brought up the Supply Bill (\$202,063.82).

Ordered that above Bill be considered at next meeting of House.

On motion of Dr. Tolmie (in the absence of Dr. Ash) seconded by Mr. Young—it was *Ordered* "that a humble Address be presented to His Excellency the Governor praying that he will cause to be laid on the table of this House a Return of the income and expenditure of the Crown Revenues of this Colony for the Years 1864 and 1865; showing the balance in hand, if any."

The House then went into Committee upon His Excellency's Communications (No. 20) dated 26th May 1866 and 1st June 1866 marked "confidential."

Dr. Trimble in the Chair.

The Chairman reported a Resolution "That the Committee consider it expedient and necessary to authorise the Governor to increase, by Ten thousand dollars, the debt due to the Bank of British North America and that a Bill be brought in making the security for the whole loan to be, a second charge upon the General Revenue of the Colony."

Ordered—that report be read 1o.

Bill in Committee.

A Bill entitled An Act to amend the Indian Liquor Act, 1860.

Dr. Powell in Chair.

The Chairman reported the Bill complete as amended.

Ordered that report be agreed to.

Dr. Tolmie gave Notice of Motion (State of the Colony).

The House then adjourned till tomorrow.⁴⁹

J. S. Helmcken
Speaker.

Friday, the 8th day of June, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Messrs. Dickson, McClure.

J. S. Helmcken
Speaker

⁴⁹ According to the *Chronicle*, 7 June 1866, the House adjourned to Friday.

Monday, the 11th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Dickson, Pidwell, McClure, Powell, Tolmie, Trimble.

The last minutes having been read and confirmed.

A Communication (No. 22 dated 8th June 1866) from H. Excy. the Governor was read acknowledging receipt of Resolutions of this House dated respectively 17th April and 30th May 1866 on the subject of "direct Steam Communication with San Francisco" and stating in reply to the latter that H. Excy. had concluded a contract with the "California, Oregon, and Mexican Steamship Co." and the "California Steam Navigation Co." on virtually the same terms and conditions as with the H. B. Co. on account of the "Labouchere."

Also, A Communication (No. 23—dated 8th June 1866) from His Excellency the Governor in reply to a Resolution of this House, 5th June 1866, stating that H. Excy. is not in possession of the views of H.M.s Govt. respecting "The B. C. Tariff Act /65" [and] further, that H. Excy. has not found himself in a position to take any steps thereanent, beyond transmitting a memorial from the Victoria Chamber of Commerce.

Ordered "to lie on the table."

Mr. De Cosmos gave notice of motion, for next meeting of the House "That the House resolve itself into Committee forthwith to consider the condition of the defences of the Colony, and especially the advisability of organising the Militia for active operations in case of emergency."

On motion of Mr. De Cosmos, 2nded by Mr. Pidwell, Ordered that the Standing Orders of this House be suspended and that the following Resolution be transmitted to His Excy. the Governor, without the usual notice of motion.

Resolved "that H. Excy. the Governor be respectfully requested to communicate to the House his views respecting the Defences of the Colony, in view of the possibility of a Fenian Raid."

On motion of Dr. Tolmie, 2nded by Mr. McClure, it was Ordered "that at the next meeting this House will resolve itself into Committee to consider 'the State of the Colony'" (Dissentiente Dr. Dickson).

Bill read 3o. and passed.

"A Bill entitled An Act to amend the Indian Liquor Act, 1860" (Dissentiente Dr. Dickson).

The House then took under consideration and confirmed the Resolution reported from Committee of the whole House on the 6th Inst.: "authorising the Governor to increase the debt due to the Bank of British North America, by ten thousand dollars, and that A Bill be brought in making the security for the whole loan to be, a second charge upon the General Revenue of the Colony."

Mr. McClure from the Election Committee ordered by the House to examine and report upon the validity of the qualification (property) of the Honble. Member for Salt Spring Island and Chemainus reported "that the sitting member was legally qualified for a Seat in this House."

Dr. Ash gave notice of motion.⁵⁰

The House then went into Committee upon the Honble. L. C. Amendments to "A Bill entitled An Act to amend the Franchise Act, 1859."

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ord. that report be received and leave granted. Read 1o.

Appropriation Bill—"To apply two hundred and two thousand and Sixty three dollars and Eighty two Cents (\$202,063.82) out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year One Thousand Eight hundred and Sixty Six."

The House then adjourned till [tomorrow].

J. S. Helmcken
Speaker.

Tuesday, the 12th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, De Cosmos, McClure, Pidwell, Tolmie, Powell, Trimble.

The last minutes having been read and confirmed.

A [confidential] Communication was read from H. Excy. the Governor, dated 12th June 1866—in reply to a Resolution of this House of yesterday—in re "The Defences of the Colony."

Ordered to be referred to Committee of the whole House.

Bill read 2o and committed—"Appropriation Bill \$202,063.82."

On motion of Mr. De Cosmos, 2nded by Mr. McClure, Ordered "that the House resolve itself into Committee of the whole forthwith to consider the condition of the defences of this Colony and especially the advisability of organising the militia for active operations in case of emergency."

The House then went into Committee upon the said last mentioned Resolution, as also upon H. Excys. Communication (12 June) above.

Mr. Pidwell in the Chair.

⁵⁰ Motion Book, 1865-66, p. 43: "That a humble Address be presented to H. E. the Governor praying that he will cause to be laid on the table of this House A Return of all salaries paid from the general, and Crown revenues inclusive from Jan. 1st 1866, Up to date."

The Chairman reported A Resolution "That the Committee recommend that a Bill be ordered to organise the Militia of the Colony":

That provision be made in such Bill for a Volunteer force.

That the Committee recommend that a Committee be appointed to frame the said Bill and to report the same without delay.

The Committee had also under consideration A Resolution of this House (11th inst) on the "State of the Colony."

The Chairman reported progress therein and asked leave to sit again.

Ord. that reports be agreed to respectively and leave granted.

In Comtee. The Honble. L. C. *Amendments* to "Franchise Act, 1866."

Dr. Trimble in Chair.

The Chairman reported the Bill complete with further Amendments.

Ord. that report be received and agreed to.

The House then adjourned till Thursday at 1 p. m.

J. S. Helmcken
Speaker.

Thursday, the 14th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Pidwell, Powell, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Militia Bill—Messrs. De Cosmos, Pidwell, Tolmie, Ordered "to be a Select Committee to draft."

Mr. Pidwell gave Notice of motion (Returns Postal Departmt.).

Dr. Powell „ „ „ „ (Births M. D. Bill—for leave).

Mr. Pidwell „ „ „ „ (Returns Probate Court).

Order of the Day.

The order of the day having been read for the 3rd Reading of the Honble. L. C. *Amendments* to "Franchise Bill 1866"—as further amended by this House.

Dr. Dickson seconded by Mr. Young, moved that "that part of the Qualification Clause enacting 'possessing at and for 12 months immediately preceding the time of Election a yearly income of not less than fifteen hundred dollars' be recommitted."

For recommittal

Ayes: 4.

Messrs. Ash
Carswell
Dickson
Young

Noes: 6.

Messrs. De Cosmos
McClure
Pidwell
Powell
Tolmie
Trimble

The motion was therefore lost.

Dr. Dickson moved that the clause of Section VIII referring to "contracts under Government" being a disqualification be recommitted—Mr. Young seconded.

For recommitment

Ayes: 2.

Messrs. Dickson
Young

Noes: 8.

Messrs. De Cosmos
McClure
Pidwell
Powell
Tolmie
Trimble
Carswell
Young

The motion was therefore lost.

The Amendments by the Honble. L. Council (as amended by the Legislative Assembly) were read 3o. and passed.

On motion of Dr. Ash, 2nded by Dr. Trimble Ordered "that a humble Address be presented to His Excy. the Governor praying that he will cause to be laid on the table of this House a return of all salaries paid from the General and Crown Revenues from the first day of January, 1866, until the present date inclusively."

Strangers having been Ordered to withdraw The House then went into Committee upon "The State of the Colony."

Dr. Trimble in the Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received and leave granted."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker.

Friday, the 15th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, McClure, Pidwell, Powell, Tolmie, Trimble, Carswell, Young.

The last minutes having been read and confirmed.

The House took under consideration in Committee "The State of the Colony."

Dr. Trimble in the Chair.

The Chairman reported the following series of Resolutions.

The House of Assembly of Vancouver Island having considered the condition of the Colony is of opinion

1st That the country suffers intensely from causes in a great measure attributable to the continued separation of Vancouver Island and British Columbia and to the very expensive and irresponsible character of the Governments of both Colonies.

2nd That the population of Vancouver Island & British Columbia which, exclusive of Indians, does not exceed ten thousand persons, cannot, with its other weighty liabilities, afford more than a Salary of £2000. for a Governor with proportionate Salaries for necessary heads of Departments.

3rd In view of the above facts the House is of opinion that nothing short of immediate Union of Vancouver Island and British Columbia under a Constitution apportioning the Representation according to population and giving to the People's Representatives control over the mode and amount of taxation and expenditure can stay the rapid decline of both countries and restore the confidence of the public.

4th The House, in transmitting the above to H. M.s Principal Secretary of State for the Colonies, feeling deeply the injury which both Vancouver Island and British Columbia are sustaining from the present State of uncertainty and suspense on the question of Union, would respectfully ask for a reply by Telegraph as to the intentions of H. M.s Government with regard to the matter during the present Session of the Imperial Parliament.

The House having taken the foregoing clauses (seriatim) into consideration, and having agreed to the same, Ordered "That the above Resolutions be transmitted to His Excellency the Governor praying that he will cause the same to be telegraphed forthwith to H. M.s Principal Secretary of State for the Colonies."

The Chairman also reported the following Address—

To the Rt. Honble. E. Cardwell, M. P.

H. M.s Principal Secretary of State for the Colonies &c. &c. &c.

Your Memorialists, the loyal Subjects of Her Majesty, the Members of the Legislative Assembly of Vancouver Island in Parliament assembled humbly beg to draw the attention of H. M.s Government to an Ordinance passed by the Governor and Legislative Council of British Columbia on the 15th day of Feby., 1865, Entitled "An Ordinance to amend the duties of Customs."

Your Memorialists would show that by the construction placed on that Ordinance in British Columbia it has been decided that Goods shipped from Vancouver Island are chargeable with higher duties than the same Goods shipped from any other Country; and this practice has been enforced since the passage of the Ordinance above referred to, to an extent almost amounting to a prohibition of trade with Vancouver Island. For example: a shipment of Goods arriving in British Columbia direct (say) from France invoiced at the Nett cost of £1000—or in other words the actual first cost of the Goods where purchased—is entered for duties at the nett cost aforesaid of £1000, and is charged with (say) 20 per ct. duty, as provided for by the Customs Regulations. The whole charge for duties, say 20 per ct., on £1000, will therefore be £200. Now if these same Goods or an Invoice exactly similar in price and quality is shipped from Vancouver Island and landed in British Columbia the process for assessing the duties would be as follows:

To the Nett Invoice Cost (say) in France, say £1000, is added 50 per Ct. or £500—making the Goods of the value of £1500, on which amount the duty of 20 per Ct. is charged, making the duty payable £300.

Thus; while the Shipment from France would be chargeable with duties amounting to £200, the Shipment from Vancouver Island would be chargeable with £300, or an increase of 50 per Ct. (!!!) on the amount of duties payable on precisely the same or similar invoices of Goods.

Your Memorialists, the Representatives of Vancouver Island, smarting under this mischievous Enactment, appeal against a practice which will inevitably overthrow the large and important British interests vested in this Colony. The 14th Paragraph of the Royal Instructions to the Governor of British Columbia expressly forbids the making of any law for imposing differential duties; yet, despite these instructions, the Ordinance referred to imposes really and virtually, tho' perhaps not nominally, a most onerous differential duty, which is rigorously enforced by severe penalties to the great injury of Vancouver Island, and without any benefit to British Columbia; the commerce chiefly benefitted thereby being that of San Francisco, California.

Your Memorialists, by this Petition desire to draw the attention of H.M.s Government to the real character and effect of the British Columbian "Ordinance to amend the Duties of Customs, 1865", conflicting as it does with the previous policy of H. M. Govt. in relation to these Colonies; to expose its insidious character its partial, unjust and oppressive operation on the trade and condition of this Colony, its tendency to ruin British Commercial interests on this Coast; and to induce H. M.s Government to disallow the Clauses in that Ordinance which virtually impose differential duties on the trade of Vancouver Island with British Columbia.

And Your Petitioners will ever pray—&c. &c. &c.

The House having taken under consideration and agreed to the Clauses in the preceding Address, *seriatim*, Ordered "that the Address be transmitted to His Excellency the Governor forthwith."

The House then adjourned till Monday next.

J. S. Helmcken
Speaker.

Monday, the 18th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, McClure, Young, Powell, Pidwell, Tolmie, Trimble.

The last minutes having been read and confirmed.

Mr. Young gave Notice of Motion.⁵¹

On motion of Mr. Pidwell, 2nded by Dr. Trimble, Ordered "that a humble Address be presented to H. Excy. the Governor praying that he will cause to be laid on the table of this House information respecting the probable receipt and expenditure of the Postal Department for the current year; also, the income and expenditure on account of the Government Steamer 'Sir James Douglas' during the present year."

⁵¹ Motion Book, 1865-66, p. 44: "That as this House, to be enabled to pass a proper Bill of Supply, deems it absolutely necessary, to be put in possession of all possible information respecting the financial condition of the colony, an Humble Address be presented to His Excellency the Govr. praying that he will cause to be obtained forthwith from the treasurer to be laid before this House, a statement of the receipts of the colonial revenue from the various sources & of the disbursements that have been made from it, during the portion of the fiscal year which has elapsed up to date."

On motion of Mr. Pidwell, 2nded by Mr. De Cosmos, Ordered "that the Returns of the 'Probate Court' sent down to this House in His Excys. Communication 9th March, 1866, in compliance with an address of this House (30 Novr. /65) be referred to Committee of the whole House."

Revised Lists of Voters 1866—Communication from Revisor transmitting (dated June 1866) received and read.

A Communication (No. 24, 18th June) was received fm. His Excy. the Governor in reply to certain Resolutions of this House (15th June) upon the "State of the Colony" as follows:

No. 24

Vancouver Island
Government House, 18th June, 1866

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to acknowledge the receipt of your Resolutions on the State of the Colony which passed the Legislative Assembly on the 15th June 1866, accompanied by a request that I would cause the same to be telegraphed forthwith to H. M.'s Secretary of State for the Colonies.

I apprehend that any Resolutions of one branch of the Legislature having for their object a change in the form of Government and Union of this Colony with British Columbia would be valueless without the concurrence of the other Branches of the Legislature and that I should render myself responsible for the establishment of an irregular and inexpedient precedent, if I transmitted these Resolutions (passed as I understand in secret Session) without affording the Legislative Council an opportunity of expressing an Opinion upon them.

I am directed by the instructions laid down for my guidance to accompany all communications entrusted to me for transmission to H. M.'s Government by such report as their contents may appear to require. This manifestly cannot be done by telegram.

I have now submitted these Resolutions to the Legislative Council, and, on receiving the opinion of that Body, will lose no time in transmitting them with my report thereon to H. M.'s Secretary of State for the Colonies.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Also A Communication (No. 25, 18 June) acknowledging receipt of An Address from this House (6th June) for "A Return of the Income and Expenditure of the Crown Revenues of this Colony for years 1864 & 1865 and showing the Balance in hand, if any."

No. 25

Vancouver Island
Government House, Victoria, 18th June, 1866

To the Honble. the Speaker and Members of the Legislative Assembly,
Gentlemen,

I have the honor to acknowledge the receipt of An Address from the Legislative Assembly praying for a Return of the income and expenditure of the Crown Revenues of this Colony for the Years 1864 and 1865 and showing the balance if any. In reply I have the honor to state that I am acting under instructions from H. M.'s Government as to the management and disbursement of the Crown Revenues of this Colony and a compliance with the address of the Legislative Assembly would be a virtual recognition of an authority on the part of the Assembly to deal with funds the responsibility of the management of which the

Legislature has on various occasions declined to accept. The Address does not disclose the object for which the information is sought.

It would afford me great satisfaction to receive an assurance that the Legislative Assembly had entered upon the final Settlement of this question as recommended in my Address on the 28th Novr. last, and with such An Assurance I should be willing to take upon myself the responsibility of furnishing any information not already before the Assembly.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Ordered that the before mentioned Communications be referred to Committee of the whole House forthwith.

The House then went into Committee to consider the two last mentioned Comtns. from His Excy. the Governor, with "The State of the Colony."

Dr. Trimble in Chair.

The Chairman reported progress & asked leave to sit again.

Ord. that report be received and leave granted.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker.

Tuesday, the 19th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Dickson, McClure, Powell, Tolmie, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

Communications were received from the Honble. L. Council transmitting the following Bills.

"A Bill entitled An Act to amend the Law of Arrest and Imprisonment for debt" and "The Homestead and Exemption from Execution Act, 1865" as amended by the Honble. L. Council.

The above Bills were read 1o. respectively, and Ordered respectively to be printed.

Mr. McClure gave Notice of Motion—Committee Police Departmt.

On motion of Mr. Young, 2nd by Dr. Powell, it was Resolved "That, as this House, to be enabled to pass a proper Bill of Supply, deems it absolutely necessary to be put in possession of all possible information respecting the financial condition of the Colony, a humble Address be presented to His Excellency the Governor, praying that he will cause to be obtained forthwith from the Treasurer, and to be laid before this House a statement of the

receipts of the Colonial Revenue from the various sources and of the disbursements that have been made from it, during the portion of the fiscal year which has elapsed up to date."

On motion of Dr. Powell, 2nded by Dr. Dickson Ordered "that leave be granted to introduce a Bill respecting the Registration of Births, Marriages and Deaths in Vancouver Island."

Read 1o. "A Bill Entitled An Act to enable the Governor of Vancouver Island to borrow the Sum of Ninety thousand dollars upon the Security of the General Revenue of the Colony."

On question "that above Bill be now read 1o." The House divided.

Ayes: 6.

Noes: 4.

Messrs. Ash

Messrs. Cochrane

De Cosmos

Dickson

McClure

Trimble

Pidwell

Young

Powell

Tolmie

The Bill was then read 1o.

House in Committee upon "The State of the Colony."

Dr. Trimble in Chair.

The Chairman reported that the Committee having had under consideration His Excellency's Communication (No. 25, dated 18th June, 1866) in reply to an address of this House praying for a Return of the Income and Expenditure of the Crown Revenues of this Colony for the years 1864 and 1865, had Resolved

That this House regrets that His Excellency the Governor should decline to give information respecting the Crown Revenues unless the House gives His Excellency the assurance that it is disposed to enter on the final settlement of the question of the Crown Lands.

That this House, with reference to the observation of His Excellency "that the Address does not disclose the object for which the information is sought," respectfully informs His Excellency that it believes that it is one of its privileges to ask for information, without disclosing its reasons for so doing.

That this House respectfully reiterates its request for the information already sought; to which it is clearly entitled.

The Chairman also reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till 1 p. m. tomorrow.

J. S. Helmcken
Speaker

Wednesday, the 20th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, De Cosmos, Dickson, McClure, Powell, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

A Communication (No. 26, dated 19th June, 1866), from His Excellency the Governor, was read—acknowledging receipt of a Memorial from this House (15th June) to the Rt. Honble. the Secretary of State for the Colonies, and stating that His Excellency will transmit the said Memorial, by the earliest opportunity.

On motion of Mr. McClure, seconded by Dr. Trimble, Ordered “that a Select Committee be appointed, with power to send for persons and papers, to enquire into the condition of the Police Department of Vancouver Island.”
Comtee. appointed: Messrs. McClure, Trimble, Pidwell.

The Resolutions reported yesterday from Comtee. of the whole House on the subject of H. Excys. Communication (No. 25—18 June) in reply to an Address of this House (6th June) for “A Return of the Income and Expenditure of the Crown Revenues of this Colony for the years 1864 and 1865” having been taken up seriatim and agreed to, were Read 2o. and confirmed.

On question proposed and put that “The Temporary Loan Act, 1866” (\$90,000.00) be now read 2o. The House divided.

Ayes: 5.

Messrs. De Cosmos
McClure
Powell
Tolmie
Trimble

Noes: 3.

Messrs. Cochrane
Dickson
Young

The Bill was then read 2o. and committed.

Strangers having been ordered to retire—the House went into Committee to consider certain Communications (No. 24 and 25/66) from His Excellency the Governor, with “The State of the Colony.”

Dr. Trimble in the Chair.

The Chairman reported that the Comtee. having had under consideration His Excellency's Communication “No. 24 18th June /66” in reply to certain Resolutions passed by this House on 15th June /66 upon “The State of the Colony” had ordered him to report the following Resolution, which Resolution is to be added to the Resolutions of the 15th June, as follows:

By unanimous Resolution Mr. Speaker is ordered to telegraph the foregoing Resolutions because the Governor declines telegraphing them unless approved by the Honble. Legislative Council, five-eighths of whom are official Members.”

The Chairman also reported that the Committee recommend that the following reply be sent to H. Excellency's Communication “No. 24, 18th June, 1866.”

The House begs respectfully to acknowledge receipt of His Excellency's Despatch "No. 24 dated 18th June, 1866."

The House is surprised to find that His Excellency should have considered it expedient to lay the Resolutions (15th June) before the Honble. Legislative Council, instead of telegraphing them to their destination as desired by the House.

The House is of opinion that the Resolutions should not have been sent to the Honble. Legislative Council, as the House only intended to express its own opinion (in advance of a Memorial upon the same subject) and requested the same to be sent by Telegraph, because, if sent by Steamer, the Imperial Parliament would have been prorogued before such Resolutions could have reached their destination.

The House moreover considers that such Resolutions should not be sent to the Honble. Legislative Council, five-eighths of that Honble. Body being Officials. It is hardly right to ask official Members to give a decision upon a question materially affecting their own interests.

The House deeming the Resolutions to be of the utmost importance at the present moment from the fact that the question of Union is under the consideration of H. M.s Govt. and that H. M.s Govt. is liable to be influenced by persons inimical to the best interests of Vancouver Island and British Columbia, as well as (tho' perhaps unwittingly) to Imperial Interests has adopted the following Resolution which has been added to the Resolutions (15th June) and, along with those Resolutions—Ordered to be telegraphed to the Right Honble. The Secretary of State for the Colonies viz.: "By unanimous Resolution Mr. Speaker is ordered to telegraph the foregoing Resolutions, because the Governor declines telegraphing them unless approved by the Honble. Legislative Council, five-eighths of whom are Officials."

The House regrets that His Excellency's determination should have compelled the adoption of this unusual course; but, at the same time feels convinced not only of the necessity but also of the propriety of the steps taken.

Ordered "that report be received and read 1o.—the clauses in the above Resolutions having been taken up seriatim and agreed to unanimously."

On motion of Dr. Trimble, seconded by Mr. McClure, The Standing Orders of the House were suspended, & The Report of the Comtee. of the whole House (above) was Read 2o. and confirmed.

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Thursday, the 21st day of June, 1866

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, McClure, Powell, Cunningham, Tolmie, Trimble, Pidwell, Young.

The last minutes having been read and confirmed.

On motion of Dr. Powell, 2nd Dr. Dickson "A Bill respecting the Registration of Births, Deaths, and Marriages" (being a Money Bill) was Ordered "to be referred to a Committee of the whole House."

The House then went into Comtee. of the whole to consider "The State of the Colony."

Dr. Trimble in the Chair.

The Chairman reported the following Address.

TO THE QUEEN'S MOST EXCELLENT MAJESTY,

Most Gracious Sovereign:

We, Your Majesty's most dutiful and loyal subjects the Commons House of Assembly of Vancouver Island in Parliament assembled, in full assurance of Your Majesty's earnest desire to promote the welfare of your people, beg leave humbly to address ourselves to Your Majesty upon matters of the deepest interest to your faithful subjects in this Colony.

We humbly represent that, desirous of reaching the foot of the Throne before the recess of Parliament, we transmitted by telegraph on the 20th June to Your Majesty's Principal Secretary of State for the Colonies, a few brief resolutions on the condition of this Colony, which His Excellency Governor Kennedy declined to transmit, unless approved by the Legislative Council, urging immediate union of Vancouver Island and British Columbia under a liberal Constitution, and we would now respectfully submit, for the consideration of Your Most Gracious Majesty, the following more detailed views on the same subject.

We would, in the first place, state that both Vancouver Island and British Columbia are at present suffering grievously from a variety of evils, some of which are the inevitable results of circumstances incident to new Colonies; others arising from the continued separation of Vancouver Island and British Columbia, by which a system of legislation has been adopted in the Legislative Council of the latter colony hostile alike to Imperial and Vancouver Island interests; and others, again, flowing from the unnecessarily expensive and highly impracticable systems of government of both Colonies, which, while oppressing the people with an insupportable burthen, have, at the same time, prevented the passage of liberal and necessary laws to promote the settlement and development of the country. The first of these evils are of such a nature, as will gradually effect their own cure, but the second and third are entirely under the control of Your Majesty's Government, and it is with the earnest hope that Your Most Gracious Majesty will be pleased to grant such relief as in Your Majesty's judgment may be deemed expedient, that we humbly pray:

1st—For immediate Legislative Union of Vancouver Island and British Columbia—countries which we believe were only placed temporarily under different Governments through Imperial expediency. The interests of the Island and the mainland have always been, and are, identical; not merely from the fact of these communities trading with each other and owing allegiance to the same authority, but also from their being dependent on each other in the most absolute sense. From 1858 population and capital have been gradually centering in Vancouver Island, and it is from these two elements, principally, that the mineral resources of British Columbia have been and are being developed. It is from Vancouver Island, mainly, the capital flows that brings to light the hidden wealth of Cariboo and other gold-fields; it is from the same source the majority of the mining population of British Columbia, who reside in Vancouver Island the greater portion of the year, is obtained. It will thus be seen that Vancouver Island's interest in the mainland is more than an ordinary interest, and that what affects the prosperity of the latter colony, whether it be the enormous expenses of its Government or the ill judged and unpopular character of its laws, acts in a corresponding degree on the former. How deep the interest in which British Columbia feels in Vancouver Island will be best ascertained by a perusal of the petition for Union forwarded some time ago by the Administrator of the Government of British Columbia to Your Majesty—signed, as it was, by all the principal merchants, manufacturers, miners, traders and farmers in the neighboring colony.

2nd. We would further state that while the combined population of both colonies, exclusive of Indians, who contribute in some degree to the Revenue, does not exceed 10,000 persons, the expenditure of the two Governments amounts, in the aggregate, to nearly £200,000 a year. It is scarcely necessary to point out to Your Majesty, the unparalleled and ruinous character of the taxation required to support such an outlay, and the absolute necessity for a form of Government that will bear more lightly on the inhabitants, and afford them more effective means to check extravagance. In British Columbia, as Your Majesty's government is aware, the Government is carried on by a Legislative Council consisting of ten official, and five unofficial members. The system virtually stifles public sentiment, as, from causes which are inseparable from an overwhelming official influence in a Legislative Chamber in a young country, the usefulness as well as independence of the nonofficial members is seriously impaired. Salaries are raised and expenses incurred under such a state of things that could never be done under a more liberal and responsible form of Government. The Constitution of Vancouver Island is free from some of the evils which exist in the Constitution of the neighboring colony, but the unduly official and Nominative character of the Upper House has created serious dissatisfaction throughout the colony, the members acting in direct antagonism to the Assembly, and throwing out, session after session, measures which the public interest loudly and persistently demands. By such determined hostility to the Lower House, as this irresponsible body has evinced, and the refusal of the Governor to grant necessary information to the Assembly on matters affecting the vital interests of the colony, the welfare of the country has been deeply injured and the Legislative Assembly reduced almost to a nullity. We would, therefore, pray, that in uniting the two colonies Your Majesty's Government will be graciously pleased to grant to the people such a Constitution, as will, while reserving to the Crown every prerogative consistent with representative Government, enable them to control the manner and amount of the taxation and expenditure, and, if necessary, prevent the official element acting to the country's detriment by hostility to the people and their representatives. As one portion of the great expenditure above stated, we would humbly represent that the salary of the Governor of British Columbia was raised by the Legislative Council of that colony, to Four Thousand Pounds a year, and one thousand per annum are allowed for travelling expenses. The salary of the Governor of Vancouver Island is Three Thousand Pounds. For each, at great expense, a house is maintained and each has a Private Secretary. With a view to laying down the ground work of economy in the Government of the country, we would respectfully submit for Your Majesty's consideration the following Civil List, for the united colonies, an amount as great as with the present serious liabilities and the ever recurring need for internal improvements in both colonies, can, we believe for some years hence be afforded:

Governor	£2,000
Two Judges	2,400
Colonial Secretary	600
Surveyor General	500
Collector of Customs	600
Attorney General, with permission to practice	400
Treasurer	500
Total	£7,000

It would, however, be extremely difficult to construct and sustain an economical and useful Government, after the two colonies shall have been united, unless they shall be presided over by a Governor, not in any way interested in the continuance of a system which has grown up during the past years of improvidence and disregard of popular rights, possessed of large experience in the affairs of colonies enjoying Representative Institutions, and one whose cordial co-operation with the people's representatives might be relied on; for it has been found impossible to effect any very perceptible retrenchment under existing circumstances.

We would express our belief that, with Representative Institutions and an economical Government suited to their financial ability, the colonies will, after Union, advance in a steady and sure course of prosperity. Their progress would be greatly

promoted by the opening of communication from the Pacific to the fertile plains and auriferous streams of the Saskatchewan country east of the Rocky Mountains. This has already, to a considerable extent, been effected by governmental and private enterprise, and a further advance eastward will probably soon be made; but, as part of the projected highway between the Atlantic and Pacific, thus undertaking from its important bearing on Imperial interests, may yet claim aid from Your Majesty's Government.

Another measure, which would greatly benefit the united colonies, is steam communication with Panama, and connection at that port with the West India Steamship Company's line from England to Aspinwall. This we are informed will be furnished by the above named Company, provided they are guaranteed annually £20,000, or eight per cent on the amount of capital deemed necessary for the undertaking.

Such a connection would greatly foster British interests, as well as British sentiment in this part of the world, besides paving the way for greater undertakings of the kind in future, having in view connection between Confederated British North America and the rich and populous countries on the Asiatic shores of the Pacific.

Referring with pride to the great, and, for the small number of tax payers, unprecedented efforts heretofore made by both colonies; in self-support and internal improvements, We profoundly regret that it will be out of our power to procure the vast advantage of the Steam Communication above mentioned, unless Your Most Gracious Majesty's Government should be pleased to extend a helping hand to these young and struggling colonies, believing, as we do, that if it assumes one-half the expense, the Mother country will reap its full share of the benefit.

Without connection with the Mother country by means of Mail Steamers, the progress of these Colonies is greatly retarded; and so deeply is this felt by the people, that large sums are now paid to a foreign steamboat company by each colony to keep up connection with California, although the compensating advantages arising from this outlay cannot be compared with those that would result from subsidizing a British line of steamers between Panama and these colonies.

With faith in the mineral and other numerous resources of British Columbia and Vancouver Island, which are gradually being developed under great difficulties, and feeling the most unbounded confidence in the Maternal Solitude of Your Most Gracious Majesty for the wellbeing of all your loyal subjects, we believe that the present appeal for such institutions and other reasonable aid as will conduce essentially to the welfare and happiness of the United Colonies, will not be made in vain.

And we, Your Majesty's loyal and devoted subjects, as in duty bound, will ever pray.

Ordered "that report be received and read 1o."

On motion of Dr. Trimble, 2nded by Dr. Tolmie, it was Ord. "that the Standing Orders of this House be suspended, in order to expedite the 2nd Reading of the preceding Address."

The Address to the Throne was then read 2o. and agreed to unanimously.

On motion of Dr. Trimble, 2nded by Mr. McClure, it was "Ordered—that the Address be transmitted to His Excy. the Governor forthwith, with a respectful request that he will be pleased to forward the same to H. M.s Principal Secretary of State for the Colonies by the earliest opportunity."

A Communication (No. 27, [dated] 22, 6, '66) was read from His Excellency the Governor, acknowledging receipt of further Resolutions of the House (19th June) requesting certain detailed information concerning the Crown Revenues of the Colony; and stating, in reply thereto, that His Excy. does not feel justified in affording the information required unless with a view to the final Settlement of the question; enclosing also a despatch dated 12 Sep. [Oct.] 1865 from the Rt. Honble. the Secretary of State for the Colonies.

Dr. Ash gave Notice of Motion.⁵²

The House then adjourned till Monday.

J. S. Helmcken
Speaker

Friday, the 22nd day of June, 1866⁵³

Speaker took his seat at 1:20 p. m.

Present: Dr. Cosmos, Powell, McClure, Young, Tolmie, Trimble, Dickson, Ash, Cunningham, and Pidwell.

The following message was received from His Excellency the Governor:

[No. 27]

Vancouver Island,
Government House,
Victoria, 22nd June, 1866.

To the Honorable the Speaker and Members of the Legislative Assembly.
Gentlemen,

I have the honor to acknowledge the receipt of further resolutions of the Legislative Assembly requesting certain detailed information relative to the Crown Revenues of this Colony.

The nature of the instructions laid down for my guidance in the administration of those funds may be gathered from the accompanying despatch of Her Majesty's Secretary of State for the Colonies, and I regret that I do not feel justified in supplying to the House, unless with a view to the final settlement of the question, details which are reserved only for the consideration and approval of Her Majesty's Government.

I have the honor to be,
Gentlemen,
Your most obedient servant,
A. E. Kennedy,
Governor.

Downing Street,
12th October, 1865.

Sir:

As the late proceedings of the House of Assembly of Vancouver Island are not calculated to inspire confidence in obtaining repayment of advances made out of the Crown funds, I consider it advisable to instruct you not to make any further issues from that source, except for purposes specially sanctioned by me. You will continue to pay salaries of yourself and the Colonial Secretary. You will also be at liberty to pay part of the Surveyors salary: viz. so much as is fitting remuneration for services rendered to the Crown Revenue. But that officer if not paid from the General Revenue will, I consider, be at liberty to

⁵² Motion Book, 1865-66, p. 45: "That a humble address be presented to H. E. the Governor praying that he will inform this House if any repayment has been made of the sum alleged to be due from the General to the Crown revenue, or of any portion thereof, and if so, that he will be pleased to cause to be laid on the table of the House a return of the amount so repaid and the dates of repayment."

⁵³ The Minutes for this sitting were omitted from the original by the clerk. These are taken from the *Colonist*, 23 June 1866.

refuse to perform that part of his duties, which would be properly paid out of that source. You will also be at liberty to make from the Crown Revenues such payments as may be necessary for its own administration, maintenance and increase. Subject to these payments the Crown fund must be carefully husbanded to meet liabilities resembling that incurred for the Lighthouses, in which the interest or credit of the Crown is concerned, and which the Legislature refuses to adopt.

I have &c.

(Signed) Edward Cardwell

When the Speaker had concluded reading the last despatch, there was considerable merriment and exclamation from all sides of "what has that to do with the question?"

The House again resolved itself into committee of the whole for the consideration of an address to the Throne, explanatory of the telegrams recently forwarded to the Colonial Office.

The Address was reported and adopted by the House, and the House adjourned till Monday, at one p. m.

Monday, the 25th day of June, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Mr. Pidwell.

Speaker

Tuesday, the 26th day of June, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Messrs. Pidwell, Tolmie, De Cosmos.

J. S. Helmcken
Speaker.

Wednesday, the 27th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Dickson, Carswell, McClure, Powell, Stamp, Tolmie, Trimble, Pidwell, Young.

The last minutes having been read and confirmed.

The following *Communication* was read from His Excy the Governor.

[No. 28]

Vancouver Island
Government House,
Victoria, 22nd June, 1866

To the Honble. The Speaker and Members of the Legislative Assembly
Gentlemen,

I have the honor to submit for the consideration of the Legislative Assembly a comparative statement of the estimated and the actual expenditure for the Year 1865 showing in detail the various services for which larger amounts were expended than were voted, and, likewise, the services for which the expenditure was less than the amounts voted. I also transmit a comparative Statement of estimated Revenue and Revenue received for 1865, a comparative statement of estimated and actual expenditure for 1865, and, Recapitulations of Revenue received and payments made during 1865. It is satisfactory to me to be able to point out that the total Expenditure for the year 1865 fell short of the total amount voted by \$46,264.07. Legislative authority being necessary to cover the expenditure (\$26,581.64) in excess of the sums voted, I enclose for the consideration of the House A Bill for that purpose. I shall be glad to furnish any further information, the House may require.

I have the honor to be,
Gentlemen,
Your most obedient Servant
(Sd.) A. E. Kennedy
Governor

Ordered "to lie on the table."

A Communication "No. 29" dated 26th June, 1866, from His Excellency the Governor, was read, acknowledging receipt of a Resolution of this House dated 19th Inst. calling for "a Statement of the receipts of the Colonial Revenue from the various sources and of disbursements that have been made from it during the portion of the fiscal year which has elapsed up to date; and stating in reply that the same shall be prepared and transmitted with the least possible delay."

A Communication, dated June 25th 1866, was read from the Honble. Legislative Council transmitting "An Act to amend the Franchise Act, 1859" with further amendments by the Honble. Legislative Council to the Amendments of this House thereto.

On motion of Mr. McClure, 2nded by Dr. Trimble Ordered—that the above Bill and Amendments be returned to the Honble. L. Council, not agreed to.
Dissentientibus Messrs. Dickson, Young.

Mr. Cochrane gave Notice of Motion.⁵⁴

A Communication, dated June 26th 1866, was read from the Honble. Legislative Council transmitting "A Bill Entitled An Act to regulate the number of persons required to form a Coroners Jury in Vancouver Island and its Dependencies."

Ordered "that above Bill be read 1o."

⁵⁴ *Daily British Colonist and Victoria Chronicle*, 28 June 1866: "Mr. Cochrane gave notice that he would move that a Committee be appointed with power to send for persons and papers to consider and report upon the manner in which the provisions of an Act to amend the Real Estate Tax Act, 1860, have been carried out by the Government in the disposition by public auction, of the property of alleged defaulting tax payers, and what steps if any, are necessary to be taken to remedy grievances complained of."

In Committee "Temporary Loan Act, 1866" (\$90,000).

Chairman of Ways & Means in Chair.

The Chairman reported progress and asked leave to sit again.

Ord. "that report be received and leave granted."

In Comtee.—"The Appropriation Bill"—(\$202,063.82).

Chairman of Ways and Means in Chair.

The Chairman reported A Resolution "that the Comtee. recommend to the House that the Standing Orders be suspended in regard to the above Bill."

Ord. "that report be received."

The question "that the Standing Orders be suspended" having been proposed and put, and having been resolved in the affirmative, the House went into Comtee. upon the last mentioned "Appropriation Act, 1866" (\$202,063.82).

Chairman of Ways & Means in Chair.

The Chairman reported progress and asked leave to sit again.

Ord. "that report be received and leave granted."

Dr. Dickson gave Notice of Motion.⁵⁵

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 29th day of June, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Dickson, De Cosmos, McClure, Powell, Pidwell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Mr. Young rose to a question of Privilege, to correct a mis-statement made in the "British Colonist and Victoria Chronicle" Newspaper, to the effect "that the Audited Accounts asked for by Address to His Excellency the Governor had been sent down to this House"—he objected that such had not really been the case, as the Comparative Statements and Recapitulations transmitted in His Excys. Communication "No. 28—1866" did not convey the information sought for and required by this House.

On motion of Dr. Ash, 2nded by Dr. Trimble, Ordered "That a humble Address be presented to His Excellency the Governor praying that he will inform this House if any repayment has been made of the sum alleged to be due from the General to the Crown Revenue, or of any portion thereof; and if so, that

⁵⁵ Motion Book, 1865–66, p. 45: "That His Excellency the governor be respectfully requested to have laid before this House, as soon as possible, the details of the various payments made under 'Heads of Expenditure' in statement numbered 3, accompanying a communication from His Excellency dated 22nd June 1866."

he will be pleased to cause to be laid on the table of the House a return of the amount so repaid and the dates of repayment."

On motion of Dr. Dickson, seconded by Mr. Young, Ordered "that a humble Address be presented to His Excellency the Governor praying that he will cause to be laid upon the table of this House, at as early a date as possible, the details of the various payments made under 'Heads of Expenditure' in Statement No. 3, accompanying a Communication from His Excellency the Governor "No. 28, dated 22nd June, 1866."

Notices of Motion. Dr. Ash.⁵⁶

„ „ „ Mr. McClure.⁵⁷

In Committee "The Appropriation Act, 1866."

The Chairman of Ways and Means in Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 2nd day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Powell, Pidwell, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Mr. McClure from the Select Committee appointed by the House to examine and report upon the condition of the Police Department of Vancouver Island, reported "that Mr. Hankin, Superintendent of Police, had not appeared before the Committee, altho' summoned to do so, by warrant of the Chairman."

Mr. McClure moved, seconded by Dr. Trimble, "That this House make an order for the immediate appearance of Mr. Philip Hankin of the Police Department at the Bar of this House."

In reply to Mr. McClure, Mr. Speaker stated that he would not take upon himself the responsibility of issuing a Warrant for the arrest of Mr. Hankin, the legality of such a course being open to question.

⁵⁶ Motion Book, 1865-66, p. 46: "That a humble address be presented to His Excellency the Governor praying for a return of the difference between the amounts voted by this House and the Revenue of the Colony during the years when the alleged debt of the general to the Crown Revenue was extracted."

⁵⁷ Motion Book, 1865-66, p. 46: "I give notice that I will move at the next meeting of the House that His Excellency be respectfully requested to inform the House if the Address of the Assembly on the state of the Colony has been transmitted to Her Majesty."

Dr. Powell moved An Amendment, seconded by Mr. Cochrane, "That a humble address be presented to His Excellency the Governor praying that he will cause the appearance of Mr. Hankin before a Select Committee of the House appointed to enquire into the condition of the Police Department of Victoria, Vancouver Island, to give evidence respecting the management of the Police Department of this Colony at 11 a. m. tomorrow, 3rd July, 1866."

The Amendment was then put as against the original Resolution.

For the Amendment

Ayes: 5.

Messrs. Trimble

Young

McClure

Carswell

Dickson

Noes: 5.

Messrs. Ash

Tolmie

Cochrane

Pidwell

Powell

Mr. Speaker voted with the "ayes" in favor of the Amendment which was therefore carried.

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

Tuesday, the 3rd day of July, 1866

The House met this day at 3 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Powell, Pidwell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Mr. Speaker informed the House that he had waited upon His Excellency the Governor in relation to the abstract of accounts required by the House, and that His Excellency had stated that there was not any person whom he could employ to copy the said abstract without incurring a special charge—unless the House deputed the Clerk of the House to do so, a course to which he would not in any way object.

A Communication "No. 30"⁵⁸ was read from H. Excy. the Governor referring to a previous Message marked "confidential," and dated 1st June, 1866—asked for information as to what course the Legislative Assembly would pursue in relation to the overdraft at the Banks.

Also A Communication "No. 31" dated 2nd July, 1866, stating in reply to An Address of this House that His Excellency could not permit Superintendent Hankin to appear before a Select Committee of this House appointed to

⁵⁸ Messages to House, 2 July 1866, enclosing a letter from Chief Justice Joseph Needham, 15 June 1866, stating that the salaries of officers of his Court had not been paid for the month of May.

examine and report upon the condition of the Police Department of Vancouver Island as His Excellency had not yet received from this House or from any other source any complaint in respect of the management of the Police Force, &c. &c.

On motion of Dr. Powell, Strangers were ordered to withdraw for the purpose of deliberating upon His Excellency's *Communication* "No. 30" above.

The House being again open to Strangers.

Mr. McClure from the Select Committee appointed by the House to examine and report upon the condition of the Police Department of Vancouver Island asked the House to authorise the admittance of the Press and Public to the proceedings of the Committee.

Ordered "that leave be granted."

On motion of Mr. Cochrane, seconded by Mr. De Cosmos, Ordered "That a Committee be appointed, with power to send for persons and papers to consider and report upon the manner in which the provisions of 'An Act to amend the Real Estate Tax Act, 1860' have been carried out by the Government in the disposition by public auction of the property of alleged defaulting tax-payers and what steps, if any, are necessary to be taken to remedy grievances complained of."

Comtee.: Messrs Cochrane, Ash, Pidwell.

The Order of the day having been read for the House to go into Committee upon the Appropriation Bill (\$202,063.82).

On motion of Dr. Dickson, seconded by Mr. McClure The Order of the Day was discharged—to admit of the House taking into consideration His Excellency's Message No. 31, dated 2nd July, 1866.

The House then deliberated upon His Excys. Message No. 31 dated 2nd July, 1866.

Mr. McClure, 2nded by Mr. Young moved "that an Order for the immediate appearance of Mr. Philip Hankin of the Police Department at the Bar of this House, be issued."

Mr. Speaker ruled "that this House has not any legally constituted right to arrest persons—the law being above the House, the person signing such a warrant as that proposed would incur a responsibility which he declined to incur."

On motion of Mr. De Cosmos, 2nded by Dr. Tolmie—(Mr. McClure having obtained leave to withdraw his *Resolution*) it was "Ordered that a Committee of 3 be appointed to report without delay on the laws and customs of Parliament as to the right of this House to enforce the attendance of a person before a Select Committee of the same."

Select Comtee.: Messrs. De Cosmos, Dickson, Tolmie.

C. B. Young, Esqre. was appointed upon a Select Committee to enquire into the Expenditure of 1865 vice Duncan (absent).

House adjourned till Thursday at 3 p. m.

J. S. Helmcken
Speaker.

Thursday, the 5th day of July, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, Pidwell, Powell, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

A Communication "No. 32" dated 4th July, 1866, from His Excellency the Governor, was read—enclosing, in accordance with the prayer of An Address of this House dated 19th June, 1866, "A Statement showing the receipts of Revenue and Disbursements therefrom up to that date."

Order of the Day—In Committee

"A Communication 'No. 30' from His Excellency the Governor referring to a previous Message marked 'confidential' and dated 1st June, 1866, asking for information as to what course the Legislative Assembly would pursue in relation to the overdraft at the banks" together with "An Act To enable the Governor of Vancouver Island to borrow the Sum of Ninety thousand Dollars upon the security of the General Revenue of the Colony."

The Chairman "Ways and Means" in Chair.

The Chairman reported that the Committee having had under consideration His Excys. Message "No. 30" (above), together with "An Act to enable the Governor of Vancouver Island to borrow the sum of Ninety thousand dollars upon the Security of the General Revenue of the Colony" begged to report the said last mentioned Act, complete as amended.

Ordered that report be received and agreed to.

In reply to Dr. Trimble, who, in the absence of the Chairman of the Select Committee appointed to examine into and report upon the condition of the Police Department of Vancouver Island, asked leave that the minutes of Evidence taken before the Committee be published in the daily Newspapers.

Mr. Speaker decided "that it was not desirable that that Evidence, being ex parte, should be published."

Dr. Dickson gave Notice of Motion.⁵⁹

The House then adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker.

⁵⁹ Motion Book, 1865–66, p. 47: "That in order in the future to prevent the Government of this Colony from borrowing money without Legislative authorization, this House declares its deliberate resolution not to recognize any such loans in the future without they have been previously sanctioned by law."

Friday, the 6th day of July, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, Powell, Pidwell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Dr. Dickson rose to a question of Privilege—to correct any misapprehension which might arise from the report in the “Colonist and Chronicle” Newspaper of a speech made by him in Committee yesterday upon “The Temporary Loan Act /66.”

On question proposed and put “That the ‘Temporary Loan Act, 1866’ (\$90,000.) be now read 3o.” The House divided.

Ayes: 6.

Noes: 2.

Messrs. De Cosmos
Pidwell
Powell
Stamp
Tolmie
Trimble

Messrs. Dickson
Young

“The Temporary Loan Act, 1866” (\$90,000.) was then read 3o. and passed.

A Communication “No. 33” dated “Victoria, 6th July, 1866” was read from His Excellency the Governor “directing the attention of the Legislative Assembly to certain facts having relation to the Finances of the Colony,” as follows.

No. 33

Vancouver Island
Government House,
Victoria, 6th July, 1866.

To the Honorable the Speaker and Members of the Legislative Assembly,
Gentlemen:

I have the honor to direct the attention of the Legislative Assembly to the following facts having relation to the finances of the Colony:

The Legislature has now been more than seven months in session, and up to this late period of the year no legal provision has been made for the expenditure necessary to the carrying on of the Government, nor have the ways and means needful to meet such expenditure for the year 1866 been yet provided by the Legislature, though the Estimates were laid before the Assembly on the 20th December, 1865.

The period of the year will shortly arrive when, according to the rules laid down for my guidance, Estimates of Revenue and Expenditure for the year 1867 should be prepared and submitted to the Legislature for consideration. Meanwhile, the injury to the public credit of the Colony by the stoppage of payment of just debts of the Government at the Colonial Treasury continues unabated. The communication I addressed to the Assembly on the 1st of June, in which I enclosed a letter from the Bank of British North America declining to make further advances, and stated that I could not incur any further responsibility without the distinctly expressed authority of the Legislature, having as yet led to no practical result; and, as will be seen from the communication I had the honor to address to the House on the 2nd July, in which I called the attention of the House to the fact that two months' arrears were then due to many public creditors, and in which I enclosed a copy of a letter from the Chief Justice in which His Honor indicated the probable

necessity of closing the Supreme Court for want of paid officers to conduct the business, further and more serious evils may be anticipated, which can only be averted by the prompt and judicious action of the Legislature.

I cannot consent to bear any portion of the heavy responsibility I should incur by abstaining from again urging the paramount importance of relieving the Colony from its present unfortunate condition of discredit without delay.

I would take this opportunity of recalling the attention of the Assembly to the various votes and resolutions relating to the expenditure of 1866, which, although come to by the Legislative Assembly on the 26th of January last, are yet without the force of law.

The Assembly have refused to make provision for a Private Secretary, or for clerical assistance of any kind for the Governor, and have reduced the staff of the Colonial Secretary's office to one clerk, who is also clerk of the Legislative Council. It follows, therefore, that when the Colonial Secretary and his clerk are in attendance on the Legislative Council (the session usually extending over the greater part of the year) the public offices are left without a public officer of any kind.

Notwithstanding this state of things, voluminous returns are called for and numerous interrogatories are addressed to the Governor by the Assembly.

The communications of the Governor to the Assembly, under these circumstances, are necessarily much impeded, and, giving place to other important affairs, will probably, though not without much reluctance on my part, of necessity cease altogether unless by personal interview with the Honorable the Speaker.

The Assembly have proposed to reduce the salary of the Treasurer by more than 40 per cent., a proceeding which, having regard alone to the circumstances under which that officer accepted public employment, I think cannot be regarded in any other light than as a breach of public faith. The Assembly have also expressed their intention of abstaining from making any provision for a clerk to the Treasurer, the consequences of which would be that, while the Treasurer is occupied with his duties in the Legislative Council, his office will of necessity be closed, both for the receipt of taxes and for the payment of public creditors.

No provision appears to be intended for messenger or office cleaner for the offices of the Colonial Secretary, Treasurer, or Surveyor General, so that their offices will remain unswept, and, during winter, the fires unlit, unless those officers perform the services for themselves, or themselves defray the cost of them.

Her Majesty's Secretary of State has laid it down that, in view of the small salary voted for the Attorney General, he is entitled to the customary fees. But the Assembly have resolved that fees shall not be allowed to him, and have declined to provide salary for his clerk. It cannot be expected that this officer will not only prosecute Colonial criminals, *gratis*, but also at the same time forego his professional opportunities of defending them for probably handsome remuneration.

The Post-Office exists without any legal authority to frame regulations or collect revenue, and I must decline longer to incur the responsibility of recognizing a Department over which I have no legal control. The views of Her Majesty's Government on this subject may be gathered from the accompanying copy of a Despatch from Her Majesty's Secretary of State for the Colonies. No. 74 30th Dec. 1865.

There is no provision made for the audit of the Public Accounts beyond a proposal to appoint the Clerk of the Legislative Assembly to the office of Auditor, to which, for sufficient reasons, I have declined to accede. I have, in a previous communication, assigned a cause for the delay in completing the audit of the accounts for the year 1865. A failure to make due provision for the continuance of this service would have the effect of allowing the public accounts to fall into a state of arrear and confusion, from which they could only eventually be extricated and adjusted by a much larger outlay.

Although the Registrar General and Assessor are appointed under local statutes, by which their salaries are fixed and secured to them, the Assembly practically resolve to make no provision for the payment of their salaries, and their offices, as well as the offices and salaries of the Supreme Court, are left in a state of uncertainty and confusion.

I think it due to the inhabitants of Nanaimo again to draw the attention of the Assembly to the insufficiency of sums proposed to be expended for the requirements of that remote and isolated District, which contains a population of about 800,

employed in steady industry; which is the resort of a large tonnage of shipping, and which furnishes the only Colonial export. The Revenue directly received from this District in 1865 amounted to no less than \$5896, besides indirect contributions which cannot be accurately estimated; and the amount which the Legislative Assembly propose for the carrying on of the whole of the public business of the District is the very inadequate sum of \$800 for "Postmaster, Harbour Master, and Collector of Dues," no provision whatever being made for the expenses of the administration of justice or for the protection of life and property. Meanwhile, the consequences of the proposed reduction have been highly detrimental. A town second only in importance to Victoria, has, by these measures been left without proper and sufficient magisterial and police supervision, resulting in the unchecked sale of ardent spirits to the aborigines and its consequent crimes of violence, and in unrestrained rioting. The depriving the harbour of that due attention from a Harbour Master which the numerous ships frequenting it have a right to expect in return for the dues charged against them, must injuriously affect the character of an important port.

Insufficient provision for the superintendence and management of the Light-houses must result in their deterioration, and in an increase of the dangers of navigation.

I enclose for the information of the Assembly the copy of a letter received from the contractors for provisioning these establishments, from which you will observe that the supplies will be stopped if the outstanding debt be not paid. 3rd July 1866, Hutchinson and Co.

The failure to provide for the contingent and unavoidable expenses of unpaid Magistrates, will necessarily involve a restriction of the administration of justice.

No charitable allowance is proposed to be made for the relief of destitution. It is obviously the duty of a community in which no laws exist for such a purpose, to make some provision for the relief of necessitous and afflicted persons beyond the uncertain charity of private individuals.

The Naval Station of Esquimalt is to be left apparently without a single policeman or a lock-up, and I think the unreasonableness and impolicy of omitting these precautions are obvious in view of the large extent to which Her Majesty's Navy contributes to the prosperity and revenue of the Colony.

The amounts proposed to be voted for Stationery, Light, Fuel, and Printing, are wholly insufficient. The proposed appropriation of \$250 for stationery for the year 1866, has already been exceeded, and I do not, under existing circumstances, feel justified in sanctioning a further outlay for supply without legal authority to do so.

In addition to the foregoing, I would, before closing this communication, refer the Assembly generally to my communication dated February 2nd, 1866.

In conclusion I would again earnestly impress upon the Legislative Assembly the paramount importance of finding a practical solution for difficulties fraught with evil to the Colony, and the prolongation of which will probably result in further public injuries which no future action of the Legislature could repair.

I have the honor to be, gentlemen, your most obedient Servant,

A. E. Kennedy, Governor.

Vancouver Island.

Downing Street,
30th December, 1865.

Sir: With reference to my Despatch No. 57, of the 11th of October last, transmitting copies of a correspondence with the Treasury and the Post Office, as far as it had then proceeded, on the regulation of the Post in Vancouver Island, I have the honor to enclose for your information the accompanying copy of a further communication from the Treasury.

You will see that the Lords Commissioners of the Treasury feel that there would be great inconvenience in an interference with this subject by the Government at home, and I quite share this feeling.

If the Legislature refuse to pass the laws necessary for establishing a postal system, it will be your duty to exert such authority as in the opinion of your law officers you legally possess to supply the want of

legislation. But if you should find that your lawful powers as Governor are not sufficient to prevent public inconvenience, it will be better that you should leave the community to suffer the consequences imposed upon them by the legislation or non-legislation of their representatives than that you should incur the responsibility of any proceedings which are not warranted by law.

I have, etc.,
(Signed,) Edward Cardwell.

Governor Kennedy C.B., etc., etc., etc.

Queen's Market, Wharf Street
Victoria, V.I., July 3d, 1866.

Sir: A second month's account has now become due to us for supplies to the Lighthouse, and there is no apparent prospect of the same being early liquidated. As we have to pay cash for the same, and the remuneration not being adequate to our giving credit, we beg you will be kind enough to make known to us (at your earliest convenience) when we may depend on being paid, before we send the quarterly rations now ordered for Friday next in advance.

We have, etc.,
(Signed,) Hutchinson & Co.
Per H. Myers.

P.S.—The two months now due is principally for supplies furnished on April 5th last. There is also a two months' account against the Victoria Jail unpaid.

To W. A. G. Young Esqre. Colonial Secretary

Ordered that His Excys. Communication "No. 33—1866" be referred to Committee upon the "Appropriation Bill."

In Committee "The Appropriation Act, 1866."

The Chairman "Ways and Means" in Chair.

The Chairman reported progress and asked leave to sit again.

Ordered "that report be received and leave granted."

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 9th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Powell, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

In Committee "The Appropriation Act, 1866."

The Chairman "Ways and Means" in Chair.

The Chairman reported progress & asked leave to sit again.

Ordered that report be received and leave granted.

Dr. Ash gave Notice of Motion for leave to bring in "A Bill to amend the Victoria & Esquimalt Harbor Dues Act, 1860."

The House then adjourned till Wednesday at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 11th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

Dr. Ash gave Notice of Motion.⁶⁰

On motion of Dr. Ash, seconded by Dr. Dickson Ordered "that leave be granted to introduce 'A Bill to amend the Victoria and Esquimalt Harbor Dues Act, 1865.'"

A Communication "No. 34," dated 11th July 1866, was read from His Excellency the Governor, transmitting Copy of a Despatch from the Rt. Honble. the Secretary of State for the Colonies (No. 15—21st April, 1866) acknowledging receipt of a joint Resolution of the Honble. Legislative Council and the Legislative Assembly of Vancouver Island on the subject of the future Seat of Government of British Columbia and Vancouver Island.

The House went into Committee upon "The Appropriation Act, 1866."

The Chairman "Ways and Means" in Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till 1 p. m. tomorrow.

J. S. Helmcken
Speaker.

Thursday, the 12th day of July, 1866

The House met this day at [blank] p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, Pidwell, Stamp, Young.

The last minutes having been read and confirmed.

⁶⁰ Motion Book, 1865-66, p. 48: "At next meeting of the House [I will] ask leave to bring in a bill for the purpose of providing for the daily delivery of letters within the limits of the City of Victoria."

On motion of Dr. Ash, 2nded by Dr. Dickson Read 1o. "A Bill To amend the Victoria and Esquimalt Harbor Dues Act, 1865."

On the order of the Day being read for the House to go into Committee upon the "Appropriation Act, 1866" it was noticed that a quorum was not present—whereupon the House adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 13th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Cochrane, De Cosmos, Dickson, McClure, Pidwell, Powell, Stamp, Tolmie, Trimble, Young.

The last minutes having been read and confirmed.

Mr. Young from the Select Committee appointed by the House "to enquire into the Expenditure of 1865" reported "That the Committee had been unable to obtain an inspection of the Treasurer's Accounts, but that the Treasurer had assured the Committee that their application to do so had been laid before His Excellency the Governor."

Mr. Cochrane from the Select Committee appointed by the House to consider and report upon the manner in which the provisions of "An Act to amend the Real Estate Tax Act, 1860" have been carried out by the Government in the disposal by public Auction of the property of alleged defaulting tax-payers and what steps, if any, are necessary to be taken to remedy grievances complained of brought up the following report.

Whereas it is expedient that a less complicated process be provided in order to secure the Government in the amount of Taxes for which Real Estate is liable and to allow the owners thereof ample time for the redemption of the same.

Be it therefore resolved that the following be the basis of An Act to provide for that end.

1st To grant the Treasurer power to pay to all persons holding receipts of purchase of any land sold for taxes with interest at the rate of Twenty per Cent per annum when demanded.

2nd The amount of taxes due or which may become due to be registered as a first charge against all such property with interest at two per cent per month till paid.

3rd At the expiration of Three (3) years, the whole of such property to be sold by the Sheriff who shall give a good and sufficient title thereto.

4th After deducting the full amount due to the Government with all the expenses attending the same the balance if any to be paid to the owners of said land on the showing of a good and sufficient title thereof.

This Act to have full force and effect, anything in the "Real Estate Acts" of 1860 and 1862 to the contrary notwithstanding.

Ordered to lie on the table.

The House then took under consideration in Committee His Excys. *Communication* No. 33 (1866) dated 6th July.

The Chairman "Ways and Means" in Chair.

The Chairman reported that the Committee had ordered him to report progress and ask leave to sit again.

Ord. that report be received and leave granted.

The House then adjourned till Monday next at 1 p. m.

J. S. Helmcken
Speaker

Monday, the 16th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Dickson, McClure, De Cosmos, Powell, Tolmie, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

The House took under consideration in Committee of Supply His Excellency's Communication "No. 33—dated 6th July, 1866."

Also "The Appropriation Act, 1866."

The Chairman of Ways and Means in the Chair.

The Chairman reported, in regard to the first, Progress, and asked leave to sit again. In regard to the second progress and asked leave to sit again.

Ordered "that reports be agreed to respectively."

The House then adjourned till Wednesday at 1 p. m.

J. S. Helmcken
Speaker.

Wednesday, the 18th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dickson, McClure, Young, Pidwell, Stamp, Trimble.

The last minutes having been read and confirmed.

The House took under consideration in Committee of Supply His Excellency's Communication "No. 33 dated 6th July 1866."

The Chairman "Ways and Means" in Chair.

The Chairman reported progress and asked leave to sit again.

Ordered that report be received and leave granted.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 20th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dickson, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

A Communication "No. 35—dated 20th July, 1866" was read from His Excellency The Governor, transmitting a joint report of the Colonial Secretary and Acting Surveyor General relative to a Ditch which had been projected for the purpose of bringing in water from the North Forks of Leech River to Bacon Bar and Kennedy Flat—whereby mining operations would be facilitated and extended; and recommending the House to authorise the placing of means at His Excy.'s disposal in furtherance of that project.

Ordered "to lie on the table."

The House then went into Committee of Supply.

The Chairman "Ways & Means" in Chair.

The Chairman reported that the Committee having had under consideration the question of "Supply" had voted therein the Sum of Two hundred and forty four thousand, four hundred and Sixty three dollars and thirty two Cents (\$244,463.32) for the use of Her Majesty for the service of the Year 1866.

Ordered that report be read on Monday—23rd Inst.

In Committee of Supply—H. Excys. Message "No. 33 6th July/66."

The Chairman "Ways & Means" in Chair.

The Chairman reported progress and asked leave to sit again.

Ord. "that report be received and leave granted."

The Clerk having been ordered to request the attendance of all Honble. Members of the House in their places on Monday (23rd Inst.).

The House adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 23rd day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Cunningham, Pidwell, Powell, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

Mr. De Cosmos gave Notice of Motion "That the House name an early day to take into consideration in Committee a series of Resolutions in re the projected consolidation of 'British North America.' "

Order of the Day—The order of the day having been read for the consideration of the report (20th Inst.) of the Committee of Supply (\$244,463.32).

Ordered "that the report of the Comtee. be referred back to Comtee. of Supply."

A Communication "No. 36 dated July 23rd 1866," soliciting the attention of the House to communications addressed to them by His Excellency The Governor on the 17th May 1864 and the 29th June 1865 was read and Ordered to be referred to Comtee. of Supply.

In Comtee. of Supply—His Excellency's Communication "No. 33—6th July 1866."

The Chairman of "Ways & Means" in Chair.

The Chairman reported that the Committee having had under consideration His Excellency's Message (above) had ordered him to report a series of Resolutions (Resolutions delivered).

Ord. that report be received.

Ord. that report be read at next meeting of the House.

The House then adjourned till Wednesday 25th July.

J. S. Helmcken
Speaker.

Wednesday, the 25th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Cunningham, De Cosmos, McClure, Dickson, Pidwell, Powell, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

On motion of Mr. De Cosmos, 2nded by Mr. Pidwell it was Ordered "that Friday next be appointed for the House to take into consideration in Committee certain Resolutions upon the subject of 'the projected consolidation of the respective Governments of British North America.' "

Read 2o. and committed "A Bill 'To amend the Victoria and Esquimalt Harbor Dues Act.' "

The House then took under consideration the report of the Committee of the whole House (23rd Inst.) in re His Excellency's Communication "No. 33, dated 6th July 1866."

Clauses 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27 having been taken up seriatim and agreed to.

On the question being proposed "that paragraph 1, Clause 28 do now pass" Dr. Ash moved An Amendment, 2nded by Dr. Powell, "That His Excellency's management of the Crown Lands has been most injurious to the immigrant and aboriginal population of the Colony."

Question put "that the Amendment do now pass."

For the Amendment

Ayes: 3.

Messrs. Ash
Powell
Pidwell

Noes: 9.

Messrs. Carswell
Cochrane
De Cosmos
Dickson
McClure
Cunningham
Stamp
Trimble
Young

The Amendment was therefore lost, and the original Resolution was put and carried.

In Clause 28, para. 2, the words "and desired" were struck out.

Clause 28, para. 3, was carried (Dissentients, Messrs. Pidwell, Cochrane).

" " " 4, " " (Dissentients, Messrs. Ash, Pidwell, Cochrane).

Clause 28, para. 5, was carried (Dissentients, Messrs. Ash, Pidwell, Cochrane).

Clause 28, para. 6. On motion of Dr. Ash, 2nded by Dr. Powell the following Paragraph was inserted as para. 6.

That His Excellencys management of the Crown Lands has been most injurious to the immigrant and aboriginal population of the Colony.

Clause 28, para. 7, On question being proposed "that para. 7 as follows 'In view of these facts the House cannot in justice to itself, to the Colony, and to Imperial interests refrain from expressing its utter want of confidence in His Excellency Governor Kennedy, and his Official advisers, and the absolute necessity there is for their removal, believing that, so long as the present administration lasts, the Colony will continue to suffer by the gradual exodus of its population, and Imperial interests will continue to be affected in an injurious manner by the prejudice which the present Government has created against British Institutions in the North Pacific'—do now pass" Mr.

Cochrane moved that the following words be added—the whole to read as para 7.

And finally that this House would most respectfully desire that His Excellency Sir James Douglas be re-appointed Governor of this Colony.

On motion of Dr. Powell, 2nded by Dr. Ash, “that the Resolution proposed to be added to para. 7 by the Honble. Member for Saanich, be treated as a separate Clause” The House divided.

Ayes: 5.

Messrs. Ash
Cochrane
Pidwell
Powell
Dickson

Noes: 7.

Messrs. Carswell
Cunningham
De Cosmos
McClure
Stamp
Trimble
Young

The motion was therefore lost.

On question “that Paragraph 7, Clause 28—as proposed to be amended, do pass” The House divided.

Ayes: 4.

Messrs. Ash
Cochrane
Dickson
Stamp

Noes: 8.

Messrs. Carswell
Cunningham
De Cosmos
McClure
Pidwell
Trimble
Young
Powell

On question “that the original Paragraph No. 7, Clause 28 do now pass” The House divided.

Ayes: 10.

Messrs. Ash
Carswell
Cunningham
Dickson
De Cosmos
McClure
Powell
Stamp
Trimble
Young

Noes: 2.

Messrs. Cochrane
Pidwell

The original para. No. 7 was then carried.

On motion of Dr. Dickson, seconded by Mr. McClure the following Resolution was ordered to be added to the Resolutions.

Ordered “that duplicate copies of His Excellency’s Message with the reply of the House thereto, be transmitted to His Excellency the Governor with a respectful request that His Excellency will be pleased to cause one of those

duplicate copies to be sent with as little delay as possible to Her Majesty's Principal Secretary of State for the Colonies"—(nem. con.).

And on motion of Mr. Young, 2nded by Dr. Trimble the following Resolution was also ordered to be added.

Ordered "That the Honble. the Speaker do transmit a Copy of these Resolutions with the Despatch of His Excellency to which they refer to Her Majesty's principal Secretary of State for the Colonies to prevent miscarriage" (nem. con.).

The Resolutions were then read as a whole, and on question "that they do now pass"—the House divided.

Ayes: 10.

Messrs. Ash

Carswell

Cunningham

De Cosmos

Dickson

McClure

Powell

Stamp

Trimble

Young

Noes: 2.

Messrs. Cochrane

Pidwell

The Resolutions were therefore confirmed & are as follows—

The Legislative Assembly having had under consideration His Excellency's Communication "No. 33 dated July 6th, 1866," thanks His Excellency for the opportunity afforded it of stating the reasons for the course it has pursued during the present Session and of preventing erroneous inferences being drawn from the statements contained in that Communication. In order to do so the House has resolved—

1. That it is advisable to show, very briefly, the faulty and impracticable nature of the constitution of the Government of this Colony, because from this source many of the evils complained of in His Excellency's communication spring.

2. That the Legislative Assembly consists of fifteen Members chosen by the Electors of Vancouver Island.

3. That the Honble. Legislative Council is composed of eight Members, five of whom, viz.: the Chief Justice, the Colonial Secretary, the Treasurer, the (Acting) Attorney General, and the (Acting) Surveyor General are salaried officers of the Government, the remaining three being also appointees but not holding any salaried Office. The Governor for the time being and the same official Members who form the majority of the Honble. Legislative Council constitute also exclusively the Executive Council, not one of the Members of the Legislature Assembly having a place therein. It is evident consequently that (the Executive and Legislative Councils being in reality the same) the Honble. Legislative Council can prevent the passage of all measures displeasing to the Executive, however necessary for the country they may be deemed by the Representatives of the People.

4. That such a Constitution virtually gives the Executive Supreme control, deprives the Representatives of the People of their due and legitimate power and, owing to its denying the usual bond of Union between the Legislative Assembly and the Executive and Legislative Councils so necessary to harmonious legislation, makes the Legislative Assembly an isolated detached and, as it were, a foreign body—and thus, instead of the system producing one harmonious whole it divides the Government into separate and dis-connected units. Owing to this peculiar and extra-ordinary character of the Government it appears that when any information is desired by the House it must be sought for and acquired by the tedious troublesome expensive and cumbrous system of applying therefor by letter and receiving written answers in return, much time being thereby lost, public business delayed, and the Session prolonged. Questions, too, frequently and suddenly arise to which it is of importance, as well to the Country as to the Executive, that answers should be immediately rendered, but the absence of any one capable of giving official information in the House makes this impossible and thus great complications ensue. It is considered unnecessary to bring forward any further instance showing the impracticable nature of the Government that being but too apparent.

5. That this House did in An Address to Sir James Douglas, while he was Governor, point out some of the faults and anomalies of the system of Government and suggested, as a remedy, that Members should be chosen from the Legislative Assembly as well as from the Legislative Council and that they combined should form a Ministerial Council by which means the various isolated portions of the Government would be brought into actual communion and connexion without which harmonious action, so necessary to legislation, cannot be expected. Such a system would have suited the requirements of the Country, removed much unnecessary odium and responsibility from the Executive, and enabled it with the advice of the Ministerial Council to propose and carry measures desired by the People and suited to the condition of the country, while at the same time it would have afforded a means of supplying the Legislature with much information *vivâ-voce* and thus having saved expense trouble and delay.

Sir James Douglas however was at that time upon the eve of retiring from Office, and he therefore left the subject for the consideration of his Successor Governor Kennedy who however up to this time has not acted upon the suggestion contained therein and the System of Government remains as impracticable as ever.

6. From such an anomalous and extraordinary system, comprised of two such incompatible and hostile forces as a representative and despotic power, each one for its very nature endeavouring to enforce its peculiar properties or struggling to defend them, nothing but discord can possibly accrue until one or other yields. The one to yield must not be the Representative Power for it cannot, dare not, prove false to the interests of the people committed to its charge.

If a Legislature thus composed should continue in Session not seven months but the whole year and yet effect nothing it will not occasion surprise; indeed

thus far nearly every Bill originated by this House has been either rejected by the Honble. Legislative Council or so much altered as to necessitate its rejection by its originators. That the Country should suffer in consequence needs no assertion.

7. That this House did nevertheless, immediately after Christmas, take into consideration the "Estimates of Expenditure" sent down to this House on the 20th Decr. 1865, and did, on the 31st day of January 1866, or five weeks after their receipt, forward to His Excellency the Governor by the hand of Mr. Speaker, a copy of the supplies granted for the service of the year, with the request that the Governor would govern the Expenditure thereby and carry out the suggestions of the Resolutions therein contained.

Although therefore it may be technically correct that the Legislature has now been more than seven months in Session and up to this late period of the year no legal provision has been made for the expenditure necessary to carrying on the Government, still it is also true that the usual provision was made and the usual authority for its use given five months ago and acted upon by the Executive to an extent far below the retrenchment required by the House and demanded by the Country.

8. That this House did likewise take into consideration the "Ways and Means" and found that the Estimates of the Income for the Year 1866 from existing sources as transmitted to this House by the Executive, and therefore accepted as correct, would more than cover the Expenditure authorised by the House for the ordinary purposes of Government. Thus, the observation of His Excellency the Governor "that the 'Ways and Means' needful to meet the expenditure for the year 1866 had not yet been provided by the Legislature though the Estimates were laid before the Assembly on the 20th Decr 1865" can hardly be considered to be "a fact"; moreover the subsequent embarrassment of the Government has been due not to the neglect of the Legislative Assembly, as insinuated, but to the erroneous calculations made by the Executive of the income likely to be derived during the year, to the fact of the expenditure having been much greater than that authorised by the House, and that the Bank of British North America declined to advance any further sums to the Executive.

This House indeed cannot understand indeed how it happens that at least eighty five thousand (\$85,000) in cash have been expended during the first six months of the present year, and yet that many public officers should have large arrears due to them, as is stated in His Excellency's Communication.

9. That this House did likewise consider His Excellency's Communications of the 1st of June, and 2nd July 1866 respectively, relating to the financial embarrassments of the Government, and did on the 6th day of July, before it had received His Excellency's Communication of the same date finally pass a Bill authorising the contracting of a Loan of Ninety thousand (\$90,000.) dollars for the purpose of relieving those persons to whom money was due and for the purpose of paying off the loan of Seventy five thousand (\$75,000.) dollars contracted by the Governor with the Bank of British North America.

That this Bill would have passed earlier but for the refusal of His Excellency to supply information relating to the Crown Revenues and that the House had to wait and wait in vain for detailed accounts of the Expenditure of 1865, notwithstanding it had been seven months in Session. It was only indeed that the credit of the Colony might not suffer that the House was induced to pass the Bill before the accounts had been examined. The House deems it to be its unquestionable privilege and duty to examine the accounts in order to learn that the moneys have been applied to the purposes for which they were intended—a refusal to grant which can only engender suspicion. Had the House occupied its due position in the Councils of His Excellency it would have been acquainted with these circumstances, injurious publicity would have been avoided, and the Executive would have been relieved of the “heavy responsibility” complained of by His Excellency.

10. That this House having thus shown that the Executive was supplied five months ago with a copy of the Supplies granted and with the usual authority for the expenditure necessary for the ordinary purposes of Government and that it did pass measures calculated to relieve the anomalous embarrassment of the Government is also well aware that the items of the Estimates granted by the Committee of Supply have not yet been embodied in An Act. The House in retaining the Appropriation Bill until the end of the Session has only followed the usual constitutional course and that course has not been without benefit, for it has been discovered that the Income of the year will fall short of the amount estimated by the Executive by at least 20 per cent which, coupled with the fact of the financial Bills of this House having been rejected by the Legislative Council (a circumstance with which the Executive must have been fully acquainted and yet the House was not dissolved) has compelled the House to adopt the unusual course of reconsidering the Estimates of Expenditure, and has enabled the House to consider the items in His Excellency’s Communication in connection therewith. This course has caused a still greater prolongation of the Session and may occasion some delay in the preparation of the Estimates for the ensuing year; it is hoped however that that delay may be attended with benefit as well to the Executive as to the country at large.

11. That this House would refer His Excellency to the condition of the Colony at the commencement of this Session for by that condition in a greater measure the proceedings of the House were governed, and changes were on that account introduced into the Estimates.

The House however does not deem it necessary to dwell now at length upon the causes of that condition they having been embodied in an Address transmitted to Her Majesty, June 23rd 1866.

12. That notwithstanding that condition the demands made by the Executive for carrying on the ordinary duties of Government, as detailed in the Estimates transmitted to the House in December 1865, with a promise of a further supplemental Estimate, were as large as during Seasons of the greatest prosperity.

13. The House, convinced that in the altered condition of the Colony such a large Establishment as that asked for was not only unnecessary but that the

charge therefor could not be borne by the small number of people in the Colony and that, if voted, it could not be paid, was compelled by a sense of paramount duty to reduce the expenditure to such an Amount as would enable the probable Revenue to meet the liabilities, endeavouring always not to impair the efficiency of the public service. With this object never lost sight of certain sums were disallowed as being unnecessary and certain offices amalgamated so that the duties could be performed by one instead of two or more Officers—a scheme absolutely necessary, quite practicable, and only requiring a little willingness on the part of the Executive to enable it to be successfully carried out.

Had the Representatives of the People had a voice in the preparation of the Estimates they would not have been sent down with so many objectionable parts and would not have required so many alterations; but as the House had not a voice in their preparation it could not do otherwise than alter and change them after they had been received, to suit the necessities of the times—for as it is the duty of this House to provide the “Ways and Means” it must likewise be its privilege to limit the Expenditure.

14. That this House having again considered the Estimates of Expenditure is more than ever convinced of the correctness of its previous proceedings and now asserts unhesitatingly that the condition of the Colony, unimproved as it remains will not only not admit of any material increase of the sums originally voted, but actually demands a further reduction for the purpose of carrying on the ordinary routine of Government. Nay more, this House must seriously urge upon the Executive the absolute necessity for the most rigid economy, and for carrying out the desires of the Representatives of the People, otherwise the Colony will be run into debt, the responsibility of which the House will most assuredly not assume.

During the last three months, four new Members have been elected who coincide fully with the views of this House—and this proves that the House but echoes the well understood wishes of the People. The House admits that in many instances the Salaries allowed are small, but at the same time the reductions have not been made from choice but from necessity. It is hoped that the reductions may be of a but temporary nature. It cannot however be too often re-iterated that the Colony not only does not require, but that it cannot afford to support so extensive and expensive an Establishment as heretofore. To run into debt for services of an unproductive nature would be manifestly wrong.

15. The House regrets that it cannot make any special provision for a Private Secretary but hopes that His Excellency will consent to bear a little inconvenience whilst the inhabitants of the Colony and the other Officers of the Government are suffering so much and endeavour to make the means allowed perform the necessary work. The Session it is hoped, being now nearly at an end, “voluminous returns” will neither be required, nor will “numerous interrogatories” be addressed to the Governor much longer—at the same time the House is of opinion that the position of Mr. Speaker will not admit of his being made the medium of communication of the Executive, and the House

cannot forego its right of obtaining written answers to their communications; written answers being required for the purpose of record.

16. That the assertion that the session of the Legislature extends over the greater part of the year (the cause whereof has been hereinbefore shown) may be technically true, but it is equally true that neither branch of the Legislature, as a rule sits more than three times a week (the Legislative Council indeed sits much less frequently) and then only for two or three hours, and those hours generally afternoon. The injury to the public service alleged to result from the Heads of Departments attending the Legislative Council can therefore be easily remedied, either by their holding their meetings after office hours or leaving the legislation to be performed by the unofficial Members. It is certainly to be regretted that the Heads of Departments should also be Members of the irresponsible Legislative Council, but at the same time the House does not vote money for their Legislative services, or to enable them to reject its Bills, and therefore it is advisable that the salaried officers of the Government should primarily devote themselves to those duties, for the performance of which they receive salaries. The true remedy for this evil, as well as others complained of such as "voluminous records and written communications" will be found in a change of the Constitution of the Government.

17. *Treasurer.* That the House respectfully denies the imputation that the reduction in the Treasurer's Salary is a breach of faith on the part of the House, because that officers salary, was fixed and paid by Her Majesty's Government for years out of the Crown Revenues. In fact it is only lately that the House as been compelled to sanction the payment of the salary of that officer out of the General Revenue. If any injustice has been committed the onus must rest with Her Majesty's Government.

18. *Office Cleaning.* The House believes it would be economical, useful, and convenient, to have the offices referred to transferred to the main Government building where there is plenty of room instead of each officer occupying separate and detached premises as at present.

19. *Acting Attorney General.* The House adheres to the provision made for the Acting Attorney General. Her Majesty's Government having laid down the principle that this Colony must not expect any assistance from Her Majesty's Government towards defraying the ordinary expenses of its Government, will most assuredly in justice admit the necessity of allowing the Colony to regulate its own expenses.

20. *Post Office.* The House does not consider it necessary to pass a Postal Bill on account of the probability of the immediate Union of the Colonies of British Columbia and Vancouver Island.

21. *Audit of Public Accounts.* The House begs to call the attention of the Governor to the fact, that nearly two years ago its deliberate judgment was recorded against the appointment of an Auditor, notwithstanding which His Excellency nominated and caused Her Majesty's Government to sanction the appointment of the Governors Private Secretary to that office. The House adheres to its original determination that the Clerk of the House of Assembly

should audit the public accounts. By this scheme not only will the [confusion] prophesied by his Excellency not occur but on the contrary much good will accrue and much annoyance and labor be avoided. The Clerk of the House, as the Agent of those who vote the Public money seems to be the proper person to be Auditor—while none could be more objectionable than a Governors Private Secretary, who, having been acting as Colonial Secretary, is now in fact auditing his own accounts.

22. *Registrar General and Assessor.* These Offices are not appointed under local statutes: the offices are created by Statute, but the incumbents have been appointed in the ordinary manner. The House when transmitting the Expenditure voted by the Committee of Supply, forwarded also Resolutions amalgamating the office of Assessor with that of Acting Surveyor General and supplied a Clerk, but since that time the Acting Surveyor General has been considered to be more an Officer of the Crown, than of the Colony, because the lands still belong to the Crown, and therefore the House has now charged the Treasurer with the Assessors duties and has transferred the Clerk from the Land to the Treasury Office.

The Registrar of Deeds, and Registrar of the Supreme Court were also amalgamated, and a Salary voted for the Incumbent—the House felt certain that these offices could be combined without at all impairing their efficiency. The House is now surprised to find that the services of the superfluous officers have not been dispensed with.

23. *Nanaimo.* With regard to Nanaimo, the House finds that in the copy of the Estimates, transmitted to His Excellency a large amount about (\$6000) will be found voted for local purposes at Nanaimo in addition “to the inadequate sum of \$800 for Postmaster, Harbour Master, and Collector of Dues” so that the insinuation that Nanaimo, which returns \$5,894 to the Revenue only receives \$800—is without foundation—indeed so far from that being the case, she actually receives the benefits of the Mail Steam Communication both local and from San Francisco, and the other advantages of the General Government. It is true that the House struck out the Salary of a Stipendiary Magistrate believing the office and the expenditure to be alike inadvisable. Unpaid Justices of the Peace exist in his stead. The House has reason to believe that Nanaimo has not been without a Constable, and that the population is a well conducted one. Moreover the House has passed a Bill and made provision for the Chief Justice to hold “Sessions” at Nanaimo—and a Bill to give Justices of the Peace power to adjudicate in civil cases to a certain amount; so that Nanaimo has actually greater facilities for acquiring both Law and Justice than heretofore, whilst the means for the protection of life and property are as great as ever. The House therefore cannot understand how the consequences of the proposed reduction have been highly detrimental. The law prohibiting the sale of liquor to Indians still remains upon the Statute Book, and the means of punishing the transgressor have not been diminished, but the House is of opinion that the law to prevent the sale of liquor to Indians is not only futile but injurious and incapable practically of being carried out. In theory of course it may be made to appear possible to prevent

the Indians obtaining intoxicating fluids, but when it is considered that the coast of Vancouver Island is at least six hundred miles in length, it will be seen that the prevention is practically impossible, even if the whole of the Revenues of the Colony were applied to the purpose—a course entirely out of the question.

24. *Light Houses.* The House has voted all the supplies asked for for the maintenance of Light Houses, and cannot imagine that the withdrawal of a Salary of \$500 from the Clerk of the Board of Lighthouse Commissioners who have only two Lighthouses near at hand to look after can possibly “increase the dangers of navigation.”

25. *Charitable Allowances.* His Excellency the Governor is authorised by Her Majesty’s Government, to use portions of the Crown Revenues for Charitable purposes.

26. *Naval Station at Esquimalt.* The House is not unmindful of the benefits conferred upon the Colony, by the presence of Her Majesty’s Navy at Esquimalt Harbor. If a Constable be occasionally required an occasion probably rare, the Executive can detail a policeman for the purpose, and there is no need of voting one specially for the service; this remark applies also to Nanaimo and other places. His Excellency will find that the Estimates make provision for placing the Superintendent of Police and Gaol and keeping the accounts thereof upon the Stipendiary Magistrate of Victoria, a duty he formerly performed and can again perform. By this change those who now act as Clerk &c. will be disposable for Police duty, and thus the number of available men will be increased, and the efficiency of the service certainly not diminished.

27. *Stationery.* The House regrets to find that the liberal sums voted for Stationery &c. have been so soon expended. A further sum has been placed upon the Estimates, and it is hoped that the strictest economy will be used in its Expenditure.

28. The House is reluctantly compelled after much patience and forbearance, to declare that His Excellency Governor Kennedy is Acting in a hostile manner, to [the detriment of] the best interests of the Country.

That he has declined, and does persistently decline to impart to the Assembly necessary information, on matters connected with the Public Departments, and with the Expenditure of the Public money.

That he obstructs the efforts of the Assembly, to reduce the expenses of Government, which are far beyond the capacity of the Inhabitants to bear.

That he refuses to permit public officers to appear before a Select Committee of the Assembly to give evidence as to the working and management of their Departments.

That he endeavours, by unjustifiable statements to place the Assembly in a false and undignified position before Her Majesty’s Government.

That His Excellency’s management of the Crown lands has been most injurious to the immigrant and aboriginal population of the Colony.

In view of these facts, the House cannot in justice to itself, to the Colony, and to Imperial Interests refrain from expressing its utter want of confidence

in His Excellency Governor Kennedy, and his official advisers, and the absolute necessity there is for their removal, believing that so long as the present Administration lasts the Colony will continue to suffer, by the gradual exodus of its population, and Imperial interests will continue to be affected in an injurious manner by the prejudice which the present Government has created against British Institutions in the North Pacific.

Ordered that duplicate copies of His Excellency's Message, with the reply of the House thereto, be transmitted to the Governor with a respectful request, that His Excellency, will be pleased to cause, one of those duplicate copies to be sent with as little delay as possible to Her Majesty's Principal Secretary of State for the Colonies; and that the Honble. The Speaker do transmit a copy of these Resolutions with the Despatch of His Excellency to which they refer to Her Majesty's Principal Secretary of State for the Colonies.

In reply to the Honble. Member for Salt Spring Island and Chemainus (Mr. Pidwell) who rose to a question of Privilege Mr. Speaker stated "that the subject of the Resolution proposed in the amendment of the Honble. Member for Saanich (Mr. Cochrane) to Para 7, Clause 28—of the above Resolutions was precluded by the Standing Orders of this House from being brought up again in its present form during the present Session. It was competent however for the Honble. Member to re-introduce the subject in another form, viz.: by Address to the Crown."

On motion of Mr. De Cosmos, seconded by Mr. McClure, "That the Standing Orders of this House be suspended in order to allow a motion to be put as to whether the House will take up the question again during this Session as to whether the House will (or will not) recommend that Sir James Douglas K. C. B. be re-appointed Governor of this Colony."

Mr. Speaker ruled "that the motion was out of order."

Mr. De Cosmos begged to appeal from Mr. Speaker's ruling, to the House, for a decision as to whether or not his motion was in order.

On question put "that Mr. Speakers ruling be supported"—The House divided.

Ayes: 9.

Messrs. Ash

Carswell

Cochrane

Cunningham

Dickson

Pidwell

Powell

Stamp

Young

Noes: 3.

Messrs. De Cosmos

McClure

Trimble

Mr. Speaker's ruling was therefore confirmed—and the motion of Mr. De Cosmos was Ordered "to be ruled out of order."

The House then adjourned till Friday (27th Inst.) at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 27th day of July, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, De Cosmos, Dickson, McClure, Pidwell, Powell, Trimble, Young.

The last minutes having been read and confirmed.

Mr. De Cosmos asked Mr. Speaker if the Reply to His Excellency the Governor's Communication "No. 33—dated 6th July 1866" confirmed by the House on the 25th Inst. had been transmitted to His Excellency—if not he would move that its transmission be stayed until a further order from this House.

Mr. Speaker in reply stated—First, "that the reply had been prepared, but had not yet been transmitted to His Excellency."

Secondly, "that as not a single precedent existed in the Records of a detention (beyond the time required for their due preparation) of Communications confirmed by the House and ordered to be transmitted from Mr. Speakers office to their respective destinations, he must rule the motion of the Honble. Senior Member for the City (Mr. De Cosmos) out of order—unless the Standing Orders were suspended."

Messrs. Ash, Dickson, Young, hereupon retired.

On motion of Mr. De Cosmos, 2nded by Dr. Powell, it was Ordered unanimously (Present Messrs. De Cosmos, Pidwell, Powell, McClure, Trimble) "That the Standing Orders be suspended and that the Reply to His Excellency the Governors Message 'No. 33—6th July 1866' be retained in Mr. Speaker's office until further orders for its transmission be made by this House."

Dr. Trimble asked leave to lay upon the table of the House certain proposed Amendments to "The Road Act, 1860."

Ordered "that leave be granted."

Ordered "to be taken into consideration in Committee on Wednesday next."

Mr. De Cosmos gave notice of motion "that at next sitting of the House he would move that the House take into consideration in Committee of the whole the propriety of suggesting to the Executive the passage, this Session, of An Act establishing a Ministerial Council to advise the Executive in all Legislative matters, such Council to be drawn from the Upper and Lower Houses."

Order of the Day—In Committee.

His Excellency's Communication "No. 35 dated 20th July, 1866" in re the completion of "the Leech River Ditch."

Also, His Excellency's Communication "No. 36 dated 23rd July 1866" relative to the Works for the improvement of Victoria Harbor.

The Chairman of "Ways and Means" in the Chair.

The Chairman reported in regard to the first—A Resolution "That this House having taken into consideration the Communication of His Excellency the Governor "No. 35—1866" has resolved

First "That the sum of Four thousand five hundred dollars (\$4,500.) be voted for the completion of Leech River Ditch."

Second "That the sum be ordered to be placed in the Estimates for the above purpose."

And In regard to His Excellency's Communication "No. 36—1866" a Resolution "That the Committee is of opinion that it is not advisable to sell the Dredger or Steam Tug, but would suggest that the Dredger and Punts be removed to a fresh water stream, in order to prevent their further destruction by marine incrustation."

Ordered that reports be received and read 1o. respectively.

"Militia and Volunteer Bill 1866"—House in Committee to report upon.

Chairman "Ways & Means" in Chair.

The Chairman reported that he had been ordered to report the above Bill favorably to the House.

Ordered "that report be received and agreed to."

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker.

Monday, the 30th day of July, 1866

Present: Mr. Speaker and Messrs. De Cosmos, Pidwell, Trimble.

A Quorum not being present, the House did not sit.

J. S. Helmcken
Speaker.

Tuesday, the 31st day of July, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Pidwell, Powell, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion for tomorrow.⁶¹

⁶¹ Motion Book, 1865–66, p. 49: "That to guard for the future against an undue exercise of the power of suspending the Standing Orders of this House, and to prevent hasty Legislation this House desires to put upon record its deliberate judgment against such suspension, unless one clear days notice shall have been given, and the votes of at least two thirds of the number of Members who shall then happen to be present approve the same, and that the resolution of this House passed on the 26 January 1866 authorizing such suspension upon a majority vote, be and is hereby rescinded."

A Communication "No. 37—dated 28th July 1866" was read from His Excellency The Governor, transmitting in reply to An Address of the Legislative Assembly, dated—18th June, 1866—information respecting the probable receipt and expenditure of the Postal Department for the current year.⁶²

Also The income and expenditure on account of the Government Steamer Sir James Douglas during present year.

Order of the Day.

On question that certain Resolutions reported from Committee of the whole House on 27th July in re "Leech River Ditch" be confirmed—the House divided.

Ayes: 7.

Messrs. Ash

Carswell

De Cosmos

McClure

Pidwell

Powell

Trimble

Noes: 3.

Messrs. Dickson

Stamp

Young

The Resolutions were therefore confirmed.

On question "that a Resolution reported from Committee of the whole House on the 27th July be confirmed—in re His Excellency's *Communication* 'No. 36, 1866' relative to the Works for the improvement of Victoria Harbour" On motion of Mr. De Cosmos, 2nded by Captain Stamp, it was Ordered unanimously that the Resolution be re-committed.

"Militia and Volunteer Bill"—read 1o.—on motion of Mr. Pidwell, 2nded by Dr. Powell.

On motion of Mr. De Cosmos, 2nded by Dr. Powell, it was Ordered "that the House take into consideration forthwith in Committee the propriety of suggesting to the Executive the passage this Session of An Act establishing a Ministerial Council to advise the Executive in all Legislative matters; such Council to be drawn from the Upper and Lower House.

On the Order of the Day being read for the House to take into consideration in Committee the question of the "confederation of the British North American Provinces" On motion of Mr. De Cosmos, 2nded by Dr. Powell, it was Ordered "that the order of the day be discharged, to expedite the consideration in Comtee. of the preceding Resolution."

House in Comtee. on the above Resolution—"Ministerial Council."

Chairman "Ways and Means" in Chair.

The Chairman reported a Resolution "that chair do now rise."

Ordered that report be received.

Dr. Dickson gave Notice of Motion.⁶³

J. S. Helmcken
Speaker

⁶² For enclosures to this message see Postmaster Henry Wootton to Colonial Secretary, 25 June 1866, and Acting Surveyor General B. W. Pearse to Colonial Secretary, 2 July 1866. Returns to House, 28 July 1866.

⁶³ Motion Book, 1865–66, p. 51: "Tomorrow I will move that the resolutions in reply to the Governor's message of July 6th be transmitted forthwith."

Wednesday, the 1st day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Pidwell, Powell, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

Mr. Pidwell gave Notice of Motion.⁶⁴

Mr. Speaker informed the House that on Mondays, Wednesdays and Fridays it was essential, in order to wind up arrears of business, that the "orders of the day" precede "Notices of motion."

Dr. Dickson, pursuant to notice, moved a Resolution "That to guard for the future against an undue exercise of the power of suspending the "Standing Orders" of this House, and to prevent hasty legislation, this House desires to put upon record its deliberate judgment against such suspension unless one clear days notice shall have been given and the votes of at least two thirds of the number of Members who shall then happen to be present approve the same; and, "that the Resolution of this House passed on the 26th January, 1866, authorising such suspension upon a majority vote, be, and is, hereby rescinded."

Seconded by Mr. Young.

Mr. McClure moved An Amendment—"Resolved—that before the Rules of this House can be suspended, it shall be necessary that at least one days notice of motion of such suspension shall be given, and that Honble. Members be notified of such motion by the Clerk of the House; and, that the Resolution of the 26th January, 1866, be, and is, hereby rescinded."

Seconded by Mr. Trimble.

Mr. Pidwell moved An Amendment—"Resolved—that the Standing Order of the 26th January, 1866, be rescinded and the following be substituted—'that no Suspension of the Standing Orders shall take place unless by the consent of two thirds of the Members of the House then present'."

Seconded by Mr. De Cosmos.

The latter amendment was then put as against the former.

For Mr. Pidwell's Amendment

Ayes: 6.

Messrs. Ash
Carswell
Dickson
Pidwell
Stamp
Young

Noes: 4.

Messrs. De Cosmos
McClure
Powell
Trimble

Mr. Pidwell's Amendment was therefore carried as against the Amendment of Mr. McClure.

⁶⁴ Motion Book, 1865-66, p. 50: "I intend at the next meeting of the House to ask leave to bring in a Bill to provide for a change in the constitution of the Executive Council of the Colony—by giving this House a Voice in said Council."

Mr. Pidwell's Amendment was then put as against the original Resolution.
For the Amendment

Ayes: 5.

Messrs. De Cosmos
McClure
Pidwell
Powell
Trimble

Noes: 5.

Messrs. Ash
Carswell
Dickson
Stamp
Young

Mr. Speaker gave his casting vote in favor of the Amendment which was therefore carried.

On motion of Dr. Dickson, seconded by Mr. Young "That the Resolutions in reply to His Excellency the Governors Communication—'No. 33—dated 6th July 1866' be transmitted forthwith" The House divided.

Ayes: 5.

Messrs. Ash
Carswell
Dickson
McClure
Young

Noes: 5.

Messrs. De Cosmos
Pidwell
Powell
Stamp
Trimble

Mr. Speaker gave his casting vote with the "Noes" and against the Resolution.

Mr. Speaker, in reply to Mr. McClure, stated "that the rejection of the Resolution today did not render it incompetent for the House to bring the same question up again during the present Session, he held that the term 'forthwith' in the Resolution suggested a case analogous to a motion that a 'Bill be now read 2o., which if resolved in the negative postponed, without rejecting, the proposition."

In reply to Dr. Powell—Mr. Speaker ruled "that, as it is competent for the House to rescind Resolutions that have gone out of the House, it must be 'in order' for them to reconsider and rescind portions of Resolutions."

In Committee (recommitted 31st Ult.) A Resolution reported from Comtee Supply (27th Ult.) in reply to H. Excys. Communication "No. 36—dated 23rd July, 1866" "relative to the works for the improvement of Victoria Harbor."

The Chairman "Ways and Means" in Chair.

The Chairman reported that the Resolution arrived at by the Committee, and Ordered to be reported was as follows "That the Dredger and Steam Tug were purchased at the desire and in accordance with the well understood wishes of the people and that this House is of opinion that it is unadvisable to order them to be sold, because the House hopes that at some future time they may be successfully and usefully employed in deepening Victoria Harbor. It is however considered advisable to suggest that the Punts be taken out of the water."

Also in Comtee. Certain proposed Amendments to "An Act to amend the Road Act, 1860."

Chairman reported progress and asked leave to sit again.

Ordered "that reports be agreed to respectively, and leave be granted."

The House then adjourned till Friday.

J. S. Helmcken
Speaker

Friday, the 3rd day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, McClure, Powell, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

Mr. Young gave Notice of Motion.⁶⁵

Mr. McClure gave Notice of Motion.⁶⁶

Dr. Ash gave Notice of Motion.⁶⁷

Dr. Trimble gave Notice of Motion.⁶⁸

Mr. McClure gave Notice of Motion.⁶⁹

Mr. McClure moved, seconded by Mr. Young, "that the orders of the Day be discharged and the Standing Orders of the House suspended, in order to admit of a motion being put 'that the Resolutions in reply to His Excellency's Communication No. 33—1866' be transmitted to His Excellency forthwith."

Question put "that the Standing Orders be suspended."

Ayes: 5.

Noes: 3.

Messrs. Ash

Messrs. Pidwell

Carswell

Powell

Dickson

Trimble

McClure

Young

Mr. Speaker informed the House that the majority of two thirds of the Members present required by the Standing Order made on the 1st Aug. to authorise suspension of the Standing Orders had not been voted in favor of that suspension.

The motion to "suspend" was therefore lost.

A Comtn. "No. 38—dated 3rd Aug. 1866" was read from His Excellency the Governor stating that He had received instructions from Her Majesty's Prin-

⁶⁵ Motion Book, 1865-66, p. 51: "I give notice that I will move at next meeting of the House that the resolutions in answer to His Excellency's communication of 6th July last be transmitted by the Steamer to leave on Monday the 6th inst. as resolved on in the said resolutions."

⁶⁶ Motion Book, 1865-66, p. 51: "I give notice that at the next meeting of the House I will move that the Resolutions in reply to the Governor's message be transmitted to His Excellency forthwith and the Speaker be ordered to transmit a copy of the same by the first mail."

⁶⁷ Motion Book, 1865-66, p. 51: "That in consideration of the divided state of opinion in this House and the prospect of speedy union it is expedient that no further action be taken in the matter of the reply to the letter of H. E. the Governor—dated 6th July/66."

⁶⁸ Motion Book, 1865-66, p. 51: "I give notice that on the next meeting of the House I will ask the house to rescind that part of the Resolutions respecting the want of Confidence in His Ex. Governor Kennedy."

⁶⁹ Motion Book, 1865-66, p. 52: "I move that His Excellency be respectfully requested to transmit to this House copies of His Excellency's communication to The Secretary of State for the Colonies in reference to the Address of this House in the matter of James Dickson Esq. Coroner, and of the despatch of the Secretary of State for the Colonies in reply to the same."

cial Secretary of State for the Colonies to inform the House that he has duly laid before the Queen the Address which prays that the order purporting to revoke the Commission of Dr. Dickson as Coroner may be disallowed; stating also that for reasons therein given, that the Secretary of State had not recommended Her Majesty to accede to the Address of the Legislative Assembly.

Also a Communication "No. 39 dated—3rd Aug. 1866" transmitting Copy of "Papers relative to the proposed Union of British Columbia and Vancouver Island" which have been presented to both Houses of the Imperial Parliament by command of Her Majesty.

On motion of Mr. Pidwell, 2nded by Dr. Powell, "That leave be granted to introduce 'A Bill to provide for a change in the Constitution of the Executive Council of the Colony'" The House divided.

Ayes: 4.

Messrs. De Cosmos
Pidwell
Powell
Trimble

Noes: 5.

Messrs. Ash
Carswell
Dickson
McClure
Young

The motion was therefore lost.

Bills in Committee.

"The Victoria and Esquimalt Harbor Dues Act, 1866" and Certain Amendments by the Honble. Legislative Council to a "Bill entitled An Act to amend the Law of Arrest and Imprisonment for Debt."

Dr. Trimble in Chair.

The Chairman reported that the Committee having had under consideration the above mentioned Bill & Amendments had ordered him to report, in regard to the first "The Bill complete without amendment." In regard to the 2nd "that the Committee had agreed to the Honble. L. C. Amendments without alteration."

Ordered "that reports be agreed to respectively."

The House then adjourned till Monday at 1 p. m.

J. S. Helmcken
Speaker

Monday, the 6th day of August, 1866

The House met this day at 1 p.m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, McClure, Powell, Stamp, Pidwell, Young.

The last minutes having been read and confirmed.

Bills read 3o.

Imprisonment for Debt Bill.

Victoria and Esquimalt Harbor Dues Amendment Act, 1866.

On motion of Mr. McClure, seconded by Mr. Young, "That the order of the day be discharged, to admit of the passing of a Resolution that the reply of this House to His Excellency's Communication 'No. 33, 1866' confirmed by the House on the 25th Ultio. be transmitted forthwith to His Excellency" The House divided.

Ayes: 3.

Noes: 3.

Messrs. Dickson

Messrs. Stamp

McClure

Trimble

Young

Pidwell

Mr. Speaker gave his casting vote with the Noes—the resolution was therefore lost.

The House then adjourned till [blank].

J. S. Helmcken
Speaker

Tuesday, the 7th day of August, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, De Cosmos, Dickson, McClure, Pidwell, Powell, Stamp, Young.

The last minutes having been read and confirmed.

On motion of Mr. McClure, seconded by Mr. De Cosmos, Ordered "that a humble Address be presented to His Excellency the Governor praying that he will cause to be laid on the table of this House, copies of correspondence between His Excellency and the Secretary of State for the Colonies in re the removal from office of Jas. Dickson Esqre. as Coroner" (Dissentiente Mr. Pidwell).

Leave was granted to Dr. Ash to withdraw the Resolution of which he gave Notice on the 3rd Inst. in re "the reply to His Excellency's Communication 'No. 33—6th July 1866.'"

On question proposed by Mr. McClure, seconded by Mr. Young "That the Resolutions in reply to His Excellency the Governor's Communication 'No. 33—6th July, 1866' reported from Committee of the whole House on the 23rd Ultio., and confirmed by the House on the 25th Ultio., be transmitted forthwith to His Excellency, and that the Speaker be ordered to transmit a copy of the same by the first Mail to England."

Dr. Powell moved An Amendment "That Section 28 of the Resolutions be rescinded."

On question put "that Section 28 of the Resolutions be rescinded" The House divided.

Ayes: 4.

Messrs. Cochrane
Pidwell
Powell
Stamp

Noes: 5.

Messrs. Ash
Carswell
De Cosmos
McClure
Young

The Amendment was therefore lost.

On the original motion being put, the House divided.

Ayes: 8.

Messrs. Ash
Carswell
De Cosmos
Dickson
McClure
Powell
Stamp
Young

Noes: 2.

Messrs. Cochrane
Pidwell

The original motion was therefore carried.

Mr. Young gave Notice of Motion.⁷⁰

Mr. Speaker appointed the following Committee to examine the "Appropriation Act, 1866" Messrs. Trimble, De Cosmos, Young.

House adjourned till tomorrow.

J. S. Helmcken
Speaker.

Wednesday, the 8th day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dickson, McClure, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

Bills in Committee.

An Act to amend the Road Act, 1860.

The Homestead and Exemption from Execution Act, 1866.

Dr. Trimble in the Chair.

⁷⁰ Motion Book, 1865-66, p. 52: "I give notice that I shall move for a committee to enquire into the case of Patrick Brannan who after having been settled upwards of five years by authority at Cowitchan complains that he is ordered off his land that it may be given to some other person."

The Chairman reported that the Committee had ordered him to report in regard to the first—the Bill favorably to the House. In regard to the second—the Bill complete as amended.

Ordered that reports be received and agreed to respectively.

Read 1o. "An Act to amend the Road Act, 1860."

The Chairman of "Ways and Means" from the Select Committee appointed by the House on the 7th Inst. to report upon the "Appropriation Act, 1866" brought up the report of that Comtee.

Ordered—to be taken into consideration at next meeting.

Mr. Pidwell gave notice of Motion.⁷¹

The House adjourned till tomorrow at 3 p. m.

J. S. Helmcken
Speaker

Thursday, the 9th day of August, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Messrs. Pidwell, Young.

J. S. Helmcken
Speaker

Friday, the 10th day of August, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Messrs. Pidwell, Trimble, Young.

J. S. Helmcken
Speaker

Monday, the 13th day of August, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. De Cosmos, Dickson, McClure, Powell, Pidwell, Trimble, Young.

The last minutes having been read and confirmed.

⁷¹ Neither the Motion Book nor the *Colonist and Chronicle* report any notice of motion for this day.

Bill read 3o.

The Homestead Act, 1866.

Bills read 2o. and committed.

An Act to amend the Road Act, 1860.

"The Coroner's Jury Act, 1866" (Dissentiente Dr. Dickson).

On question put "that the Militia and Volunteer Act, 1866 be read 2o." The House divided.

Ayes: 1.

Mr. Pidwell

Noes: 4.

Messrs. Dickson

McClure

Trimble

Young

The 2nd Reading of the Bill was therefore lost.

Ordered "that the House go into Committee tomorrow to consider the subject of 'A Ministerial Council.' "

On motion of Mr. Young, 2nded by Dr. Dickson, it was Ordered "that Messrs. Young, Powell, Dickson, be a Select Committee to enquire into the case of Patrick Brannan a Settler who complains 'that after having been settled upwards of five years, by authority, at Cowichan, he has been ordered off his land that it may be given to another person.' "

Bills in Comtee.

An Act to amend the Road Act, 1860.

The Coroners Jury Act, 1866.

And "An Act respecting the Registration of Births, Deaths and Marriages in Vancouver Island"—(Money Bill).

Chairman "Ways and Means" in Chair.

The Chairman reported that the Committee had ordered him to report—In regard to the first—the Bill complete as amended. In regard to the second—the Bill complete as amended. In regard to the third that the Committee had ordered him to report the Bill favorably to the House.

Ordered that reports be agreed to respectively.

Bill read 1o. "An Act Respecting the Registration of Births, Deaths, and Marriages in Vancouver Island."

On question put "that the Report of the Comtee. of Supply brought up from the Select Committee on the 8th Inst. be now agreed to" The House divided.

Ayes: 2.

Messrs. Pidwell
Trimble

Noes: 3.

Messrs. Dickson
McClure
Young

The motion was therefore lost.

The House then adjourned till 3 p.m. tomorrow.

J. S. Helmcken
Speaker.

Tuesday, the 14th day of August, 1866

A Quorum not being present the House did not sit.

Present: Mr. Speaker and Messrs. Young, Dickson, Pidwell.

J. S. Helmcken
Speaker.

Wednesday, the 15th day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Ash, Carswell, Cochrane, Pidwell, Stamp, Trimble.

The last minutes having been read and confirmed.

Bill read 3o.

An Act to amend the Road Act, 1860.

"The Coroners Jury Act, 1866" (Dissent. Mr. Carswell).

The Report of the Committee on the "Appropriation Act, 1866" was brought up and read—and was confirmed.

"An Act To apply the sum of Two Hundred and forty eight thousand nine hundred and Sixty three Dollars and thirty two cents out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the Service of the Year one thousand eight hundred and sixty six" was read 3o. and passed (Dissentiente Mr. Carswell).

SCHEDULE NO. 1 ESTABLISHMENTS DETAILED

	Fixed	Provisional and Temporary	Contingencies	Total
<i>His Excellency the Governor</i>				\$ ¢
Messenger	500.			
Total	500.			500.
<i>Legislative Council</i>				
Clerk	500.			
Fuel, light, and petty expenses			150.	
Total	500.		150.	650.

NO. 1 ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingencies	Total
<i>Legislative Assembly</i>				\$ ¢
Clerk	1700.			
Resolution "That in addition to his present duties the Clerk of the House of Assembly shall audit the public accounts of the Colony."				
Messenger	450.			
Fuel, light, and petty expenses			400.	
Total	2150.		400.	2550.
<i>Colonial Secretary</i>				
Chief Clerk	1000.			
Petty expenses			100	
Total	1000.		100.	1100.
<i>Treasurer</i>				
Treasurer	1700.			
Clerk	1200.			
Restn. "That the duties of Assessor shall, for the future, be performed by the Treasury Department, notwithstanding anything contained in 'the Real Estate Tax Amendment Act, 1862' to the contrary: and that a Bill be introduced to repeal 'the Real Estate Tax Amendment Act, 1862' subject to the collection of Taxes due thereby at present."				
Assessor—see Restns. "Assessor"—Exclusive of Establishments				
Total	2900.			2900.
<i>Surveyor General</i>				
Restn. "That the Committee are of opinion that it is inexpedient to fill up the office of Surveyor General at present."				
Assistant or Acting Surveyor General & Superintdt. of Roads	850.			
Restn. "That the duties of Surveyor General shall be performed by the Asst. or Actg. Surveyor General who shall be Superintdt. of Roads and the Salary of said office shall be \$850. per ann. which sum shall be paid solely on account of services rendered on works done at the expense of the General Revenue."				
Master of Tug Steamer	1200.			
Engineer of do. do.	1091.25			
Two Stokers @ \$60. per month each	1440.			
Three Crew @ \$45. " " "	1620.			
Petty Expenses			250.	

NO. 1 ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingencies	Total
<i>Surveyor General—Continued</i>				\$ ¢
Restn. "That the Steam Tug 'Sir James Douglas' be employed in carrying Mails, Passengers and Freight, on the coast of this Island and its Dependencies under the direction of the Executive, during 1866, and shall not engage in foreign traffic, & that the said Steam Tug be insured forthwith."				
Total	6201.25		250.	6451.25
<i>Harbor Master and Postmaster</i>				
Harbor Master and Postmaster, Victoria	1700.			
Restn. "That the offices of Harbor Master and Postmaster be amalgamated and the Salary therefor be \$1700. The House is of opinion that it is desirable that the Postmaster and Harbor Master be Secretary of the Light House Board."				
Petty Expenses			200.	
Clerk to Postmaster	1455.			
Postmaster Nanaimo	300.			
Total	3455.		200.	3655.
<i>Light-houses</i>				
Restn. "That the Postmaster and Harbor Master, Victoria, be Secretary of the Light House Board."				
Lightkeeper Race Rocks	750.			
3 Assistants \$510.88, \$400, \$208.04	1118.92			
Lightkeeper Fisgard	750.			
Asst. do. do.	100.			
Medical Officers	60.			
Petty Expenses			200.	
Total	2778.92		200.	2978.92
<i>Judicial</i>				
Chief Justice	5820.			
Registrar of Supreme Court, Clerk of Writs, and Registrar General of Titles of Real Estate	1700.			
Restn. "That the Registrar of the Supreme Court be also Clerk of Writs and that the duties of such office be discharged by the Registrar General of Titles of Real Estate and that the Salary be \$1700. per annum."				
Clerk	1200.			
Restn. "That the Clerk be Deputy Registrar General in all matters connected with his Department at a Salary of \$1200. per annum."				

NO. 1 ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingencies	Total
<i>Judicial—Continued</i>				\$ ¢
Messenger	600.			
Attorney General		1455.		
Restn. "That no fees be allowed to the Acting Attorney General and that the Salary of the Acting Attorney Gen- eral be provisional and temporary."				
Sheriff	1000.			
Stipendiary Magistrate, Superintendent of Police and Governor of Gaol	1750.			
Restn. "That the Stipendiary Magistrate of Victoria be Superintendent of Police and Governor of Gaol, and that it is advisable for economy's sake that the Stipendiary Magistrate and his Clerk keep the Accounts of the Gaol and Police Department."				
Clerk	1000.			
Restn. (See Stipendiary Magistrate, Vic- toria) Stipendiary Magistrate, Na- naimo				
Restn. "That the office of Stipendiary Magistrate at Nanaimo be abolished."				
Petty Expenses			300.	
Total	13070.	1455.	300.	14825
<i>Police</i>				
Superintendent				
Restn. "That the Stipendiary Magistrate be Superintendent of Police subject to the Resolution of the House as regards the Stipendiary Magistrate, Victoria."				
Inspector	1200.			
1 Sergt. at \$75. per month	900.			
5 Constables at \$2. per diem each	3650.			
Total	5750.			5750.
<i>Gaols</i>				
Gaoler	1000.			
Superintendent of Convicts	800.			
Medical Officer and Attendance	500.			
3 Warders @ \$1.75 per diem each	1916.25			
3 Warders @ \$1.50 " " "	1642.50			
Cook @ \$1.50 per diem	547.50			
Petty Expenses			200.	
Total	6406.25		200.	6606.25
<i>Education</i>				
Superintendent	1500.			
Teacher of Victoria School	1200.			

NO. 1 ESTABLISHMENTS DETAILED—*Continued*

	Fixed	Provisional and Temporary	Contingencies	Total
<i>Education—Continued</i>				
Assistt. Teacher do. do.	1000.			\$ ¢
Restn. "That the Salary of the Assistant Teacher of Victoria School be \$1,000."				
Female Teacher Victoria School	1000.			
Restn. "That the Salary of the Female Teacher of Victoria School be \$1,000."				
Teacher of Victoria District School	1200.			
" " Craigflower School	1000.			
" " Nanaimo School	1000.			
Female Teacher Nanaimo School	600.			
Teacher Esquimalt School	500.			
Teacher Cedar Hill School	750.			
Restn. "That the Salary of the Teacher at Cedar Hill be \$750."				
Teacher Lake	500.			
" Saanich	500.			
" Cowichan	500.			
" Salt Spring Island and Chemainus	500.			
Restn. "That \$500. be voted for a School Teacher at Salt Spring Island and Chemainus."				
Total	11750.			11750.
<i>Volunteer Companies</i>				
Drill, Instruction, &c.	1000.			
Petty Expenses, Targets, &c.			250.	
	1000.		250.	1250.
<i>1. Recapitulation of the foregoing</i>				
<i>Establishments</i>				
<i>Civil Establishments</i>				
The Governor	500.			500.
Legislative Council	500.		150.	650.
Legislative Assembly	2150.		400.	2550.
Colonial Secretary	1000.		100.	1100.
Treasurer	2900.			2900.
Surveyor General	6201.25		250.	6451.25
Harbor Master and Postmaster	3455.		200.	3655.
Lighthouses	2778.92		200.	2978.92
Judicial Establishment	13070.	1455.	300.	14825.
Police do.	5750.			5750.
Gaol do.	6406.25		200.	6606.25
Education	11750.			11750.
Volunteer Companies	1000.		250.	1250.
Total Establishments	57,461.42	1455.	2050.	60,966.42

EXCLUSIVE OF ESTABLISHMENTS

		Total
		\$ ¢
2. <i>Pensions</i>		
To David Cameron retired Chief Justice	\$ 2425.	
	Total	2425.
3. <i>Legislative Assembly</i>		
Printing	\$ 500.	
	Total	500.
4. <i>Colonial Secretary</i>		
Stationery for Public Offices	\$ 500.	
Fuel and light for do. do.	300.	
Printing Acts of Legislature	1000.	
	Total	1800.
5. <i>Assessor</i>		
Assessor	\$ 1500.	
Restn. "That the present Assessor of Real Estate be paid \$1500 for past services of this Year."		
	Total	1500.
6. <i>Surveyor General</i>		
Fuel and Stores for Steam Tug	\$ 3600.	
Stores for keeping Machinery of Dredger in Order	100.	
	Total	3700.
7. <i>Harbor Master</i>		
For repairing and placing buoys in Victoria and Nanaimo Harbors, painting &c.	\$ 400.	
	Total	400.
8. <i>Postmaster</i>		
Postmaster Harbor Master and Collector of Harbor Dues Nanaimo	\$ 500.	
Occasional Assistance to expedite delivery of letters	250.	
	Total	750.
9. <i>Administration of Justice</i>		
Expenses of Witnesses	\$ 150.	
Criminal punishments	100.	
Interpreters and others expenses	50.	
Expenses of Inquests (including Coroners fees)	250.	
	Total	550.
10. <i>Education</i>		
For repairs and additions to buildings	\$ 500.	
Books, Petty expenses &c.	800.	
Rent of Schoolhouses	1080.	
	Total	2380.
11. <i>Hospitals</i>		
Contribution to Victoria Hospital	\$ 8000.	
Restn. "That the contribution to Victoria Hospital be increased to \$8,000.—that the Committee are of opinion that the \$3000. due to the Royal Hospital should be paid forthwith."		
	Total	8000.

EXCLUSIVE OF ESTABLISHMENTS—*Continued*

		Total \$
12. Police		
Clothing for Constables	\$ 800.	
Fuel, Water and Light	100.	
For occasional necessary employment of Constables in outlying Districts	500.	
Total		1,400.
13. Gaols		
Provisions for Prisoners	\$ 2700.	
Clothing for Prisoners	900.	
Fuel, Water and Light	600.	
Bedding and Utensils	250.	
Tools and Implements	150.	
Arms and Ammunition	25.	
Repairing lock up at Nanaimo	100.	
Restn. "That the sum of \$100. be voted for repairing the lock up at Nanaimo."		
Total		4725.
14. Rent		
Ground Rent—Government House	\$ 81.90	
Rent of Harbor Masters Office, Victoria	330.	
" " Post Office Victoria	330.	
Restn. "That steps be taken immediately to remove the Harbor Master & Postmasters office to a safer building in a more central and commodious situation."		
Rent of Gaol Nanaimo	100.	
Total		841.90
15. Transport		
Travelling expenses, Officers of Police & others on duty	\$ 500.	
Conveyance of Prisoners from outlying Districts to Victoria Gaol	150.	
Total		650.
16. Conveyance of Mails		
Between Vancouver Island and San Francisco	\$30,000.	
" Victoria and Saanich	300.	
" " " British Columbia	1000.	
Total		31,300.
17. Works and Buildings		
General repairs to buildings	\$ 150.	
Total		150.
18. Roads, Streets, and Bridges		
Repairs of existing Roads	\$ 1000.	
James Bay Bridge, New Piling and Repairs unexpended in 1865	250.	
For making a Road from Cooks to Metchosin	300.	
Total		1550.
19. Lighthouses		
Provisions and fuel	\$ 1600.	
Stores	1000.	
Construction of a Boat for Race Rocks	250.	
Restn. "That \$250. be appropriated for the construction of a Boat for the use of the Lightkeeper Race Rocks."		
Total		2850.

EXCLUSIVE OF ESTABLISHMENTS—*Continued*

		Total \$ ¢
20. <i>Miscellaneous Services</i>		
Revising Lists of Voters	\$ 100.	
Sheriff—expense of making Lists of Voters	125.	
Contribution to Victoria Fire Department	3000.	
Restn. "That \$1000 due to the Fire Department be paid forth- with."		
Insurance of Government Buildings and Property	1000.	
Contribution to Agricultural Society	500.	
Premium for the erection of a flour Mill	1000.	
Restn. "That a premium of \$1000. be granted for the erection of the first flour Mill capable of making 25 bbls. of super- fine flour by day."		
Total		5725.
21. <i>Interest and Sinking Fund</i>		
Interest on "Road and Harbor Loan, 1862" £40,000. @ 6 per ct.	\$ 11640.	
Interest on temporary Loans	2000.	
Sinking Fund on Loan	7760.	
Total		21,400.
22. <i>Drawbacks and Refunds</i>		
Drawbacks	\$ 1500.	
Refunds	500.	
Total		2,000.
23. <i>Indians</i>		
Expenses connected with Indians	\$ 500.	
Total		500.
24. Due to Bank of British North America on 31st day of Decem- ber, 1865	\$63,000.	
First Instalment and Interest upon "Temporary Loan Act, 1866" (£90,000)	25,400.	
Total		88,400.
25. <i>Completion of Leech River Ditch</i>	\$ 4,500.	
Total		4,500.

RECAPITULATION
EXCLUSIVE OF ESTABLISHMENTS

2. Pensions		\$ 2425.
3. Legislative Assembly		500.
4. Colonial Secretary		1800.
5. Assessor		1500.
6. Surveyor General		3700.
7. Harbor Master		400.
8. Postmaster		750.
9. Administration of Justice		550.
10. Education		2380.
11. Hospitals		8000.
12. Police		1400.
13. Gaols		4725.
14. Rent		841.90
15. Transport		650.
16. Conveyance of Mails		31,300.
17. Works and Buildings		150.
18. Roads Streets and Bridges		1550.
19. Lighthouses		2850.
20. Miscellaneous Services		5725.
21. Interest and Sinking Fund		21400.
22. Drawbacks and Refunds		2000.
23. Indians		500.
24. Due to Bank of B. N. A. on 31 Decr. 1865	\$63,000	
First Instalment and Interest upon "Temporary Loan Act, 1866"		
(\$90,000)	25,400	88400.
25. Leech River Ditch		4500.
	Total	183,496.90
		[187,996.90]

On the order of the Day being read for the 2nd Reading of "An Act Respecting the Registration of Births, Deaths and Marriages in Vancouver Island" Mr. Pidwell called the attention of the Speaker to the fact that a Quorum of Members was not present—whereupon the House was counted, and, a Quorum not being present, was adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker

Friday, the 17th day of August, 1866

A Quorum not being present, the House did not sit.

Present: Mr. Speaker and Messrs. Dickson, Pidwell, Young.

J. S. Helmcken
Speaker.

Monday, the 20th day of August, 1866

A Quorum not being present the House did not sit.

Present: Mr. Speaker and Messrs. Dickson, Pidwell, Young.

J. S. Helmcken
Speaker

Tuesday, the 21st day of August, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Cochrane, Dickson, McClure, De Cosmos, Pidwell, Young.

The last minutes having been read and confirmed.

In reply to Mr. Pidwell, who asked leave to withdraw "A Bill to provide for a change in the Constitution of the Executive Council"—Mr. Speaker stated that the Notice of Motion for leave to introduce the Bill had lapsed by limitation of time and that he believed that the Spirit of the House was, not to enter into the question again at this late period of Session.

Mr. Young gave Notice of Motion for tomorrow.⁷²

Dr. Dickson gave Notice of Motion „ „ „⁷³

The House then adjourned till tomorrow at 1 p.m.

J. S. Helmcken
Speaker

Wednesday, the 22nd day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in Chair and Messrs. Ash, Carswell, De Cosmos, Dickson, Cochrane, McClure, Pidwell, Young, Powell.

The last minutes having been read and confirmed.

⁷² Motion Book, 1865-66, p. 52: "Whereas a series of resolutions was passed by this House on the 27th day of January 1865 praying the Imperial government that this colony might be united with British Columbia on such conditions as the said government might think fit & whereas it has been made manifest to this House that the conditions, under which it is proposed by the Imperial government to unite the two said colonies, would be most humiliating & ruinous to Vancouver island, I give notice I shall move, that the said resolutions be rescinded to prevent their being used to the prejudice of this colony."

⁷³ Motion Book, 1865-66, p. 53: "That this House cannot recognize any loan that shall hereafter be made by the government unless the loan shall have been incurred to meet expenditure required by the Estimates for the current year."

Mr. Young pursuant to notice moved a Resolution "That whereas a series of Resolutions was passed by this House on the 27th day of January 1865 praying the Imperial Government that this Colony might be united with British Columbia on such conditions as the said Government might think fit, and whereas it has been made manifest to this House that the conditions under which it is proposed by the Imperial Government to unite the two said Colonies would be most humiliating and ruinous to Vancouver Island, the said Resolutions be rescinded," in order to prevent their being used to the prejudice of this Colony."

Dr. Dickson seconded.

Mr. Speaker informed the Honble. Member that it was necessary that the particular words to be rescinded should be specified in the motion (see f. 122 and 123 [p. 248 above]).

On motion of Mr. Pidwell, 2nded by Mr. Cochrane, it was Ordered "that the debate on the above question be postponed until after the arrival of the next Steamer."

Bill read 2o. and committed.

Births, Marriages, and Deaths Bill.

Dr. Dickson moved a Resolution "That in order in the future to prevent the Government of this Colony from borrowing money without Legislative Authorisation this House declares its deliberate Resolution not to recognise any such loans in the future without they have been previously sanctioned by Law."

Leave was granted to withdraw above Resolution, in favor of the following—on motion of Mr. De Cosmos—viz.: "That this House cannot recognise any loan that shall be hereafter made by the Government, unless the loan shall have been incurred to meet expenditure required by the Estimates for the current year."

Question being about to be put, it was intimated that the motion had not been seconded, upon which the House adjourned with the understanding that the subject might be brought up again at a future period.

The House then adjourned till Friday at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 24th day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Dickson, Young, Carswell, Pidwell.
The last minutes having been read and confirmed.

Dr. Dickson gave Notice of Motion (1).⁷⁴

” ” ” ” ” ” (2).⁷⁵

The House then adjourned till Monday.

J. S. Helmcken
Speaker.

Monday, the 27th day of August, 1866

A Quorum not being present the House was counted out.

Present: Mr. Speaker and Messrs. McClure, Dickson, Young.

J. S. Helmcken
Speaker

Tuesday, the 28th day of August, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dickson, McClure, Powell, Pidwell, Stamp, Trimble, Young.

The last minutes having been read and confirmed.

Mr. De Cosmos presented a Petition signed by 75 Settlers in Cowichan Valley praying for the enactment of a Fence law.

Ordered to lie on table.

Mr. Young, from Select Committee appointed by the House to examine and report upon the case of Patrick Brannan, a Settler in Cowichan Valley who complains “that after having been settled for 5 years by Authority in Cowichan, he has been given notice to quit in order that his land may be given to another” handed in the report of that Committee, recommending that a title be given to Brannan.

Ord. to lie on table.

⁷⁴ Motion Book, 1865–66, p. 53: “It having been made manifest to this House by an Official despatch dated 27 June 1866, that the sum of Twenty-six thousand dollars of the peoples money has been applied by His Excellency Governor Kennedy to purposes never contemplated in the appropriation Act of 1865, this House would respectfully inform His Excellency, that in the future any such unauthorized application of the public funds will not be approved of by this House.”

⁷⁵ Motion Book, 1865–66, p. 53: “That in order in the future to offer an effectual bar against the Governor of the Colony, or the person administering the Government for the time being, borrowing money on behalf of the public, in a manner unauthorized by law, this House deems it expedient to inform His Excellency Governor Kennedy, that any sums or sums of money so obtained will not receive the legal sanction of this House.”

Mr. Cochrane gave Notice of Motion.⁷⁶

Mr. Speaker, in reply to Dr. Dickson who asked leave to move certain Resolutions of which he gave Notice on Friday last as one Resolution, stated that he could not entertain the proposition as they involved different subjects.

On motion of Dr. Dickson, 2nded by Mr. Young, it was Resolved "That in order, in the future, to offer an effectual bar against the Governor of the Colony or the person administering the Government for the time being borrowing money on behalf of the public, in a manner unauthorised by law, this House deems it expedient to inform His Excellency Governor Kennedy that any Sum or Sums of Money so obtained will not receive the sanction of this House."

Dissentiente Mr. Pidwell.

The House then resumed the Debate of the 22 Inst. upon the question of rescinding the "Unconditional Union" Resolutions of 25th Jany. 1865.

On question proposed "That whereas a Series of Resolutions was passed by this House on the 27th day of Jany. 1865 praying the Imperial Government that this Colony might be united with British Columbia on such conditions as the said Government might think fit and whereas it has been made manifest to this House that the conditions under which it is proposed by the Imperial Government to unite the two said Colonies would be most injurious and ruinous to Vancouver Island; the said Resolutions be rescinded in order to prevent their being used to the prejudice of this Colony."

Mr. McClure moved An Amendment, 2nded Dr. Powell "That this House, anxious to see the Colonies of Vancouver Island and British Columbia united under one Government and relying on those liberal and enlightened principles which now happily govern the relations of H. M.'s Government with the Colonies of Great Britain passed on 25th Jany. 1865, a series of Restns. expressing a Willingness to submit to any Constitution which Her Majesty might be pleased to grant, having from recent circumstances however learned that H. M.'s Govt., contrary to the present Colonial policy of Great Britain, contemplated in the Scheme for uniting these Colonies a withdrawal of Representative Government from Vancouver Island this House is reluctantly compelled to rescind those portions of such Resolutions above mentioned as might lead H. M.'s Govt. to believe that this House, although still desirous of a Union with British Columbia is willing to relinquish Representative Govt. for any advantage that might accrue from such Union, and this House expresses its adhesion to the series of Resolutions on the state of the Colony passed by this House on 21st June, 1866, and transmitted to Her Majesty."

That His Excellency Governor Kennedy be respectfully requested to transmit the foregoing to Her Majesty's Principal Secretary of State for the Colonies without delay.

The original motion was then put as against the *Amendment*.

⁷⁶ Motion Book, 1865-66, p. 55: "I give notice that I will at the first meeting of the house move for a suspension of the standing orders for the purpose of rescinding the resolution preventing the Governor from selling the dredging machine should a fair price be offered."

For the original motion.

Ayes: 1.

Mr. Young

Noes: 9.

Messrs. Carswell

Trimble

De Cosmos

McClure

Stamp

Powell

Dickson

Cochrane

Dickson [Pidwell]

The original motion was therefore lost.

Mr. McClure's Amendment was then put and carried.

Ayes: 8 [9].

Messrs. Carswell

Dickson

McClure

Stamp

McClure [Pidwell]⁷⁷

Trimble

Cochrane

Powell

Young

Noes: 1.

Mr. De Cosmos

On motion of Mr. Young, 2nded by Dr. Dickson—it was Resolved “That the Expenditure of any Money by the Executive, except that Expenditure has been previously sanctioned by the Legislature, will not meet with the Approval of this House.”

The House then adjourned till tomorrow.

J. S. Helmcken

Speaker

Wednesday, the 29th day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Cochrane, De Cosmos, Dickson, McClure, Trimble, Young.

The last minutes having been read and confirmed.

⁷⁷ There is a discrepancy in this division. The clerk listed McClure twice under the Ayes but recorded the vote as eight to one; the *Colonist and Chronicle*, 30 August 1866, reports the vote as nine to one, with Pidwell voting in the affirmative, but does not report the division on the original motion.

A Communication was read from the Honble. L. Council transmitting the following Bills with Amendments by the Honble. Legislative Council.

A Bill Entitled An Act for the protection of Inventions.

A Bill Entitled An Act to apply the Sum of \$248,963.³²/₁₀₀ out of the General Revenue of the Colony of Vancouver Island and its Dependencies to the services of the Year, 1866.

A Bill Entitled An Act to amend the Incorporation Act /62.

On question proposed that the Amendments by the Honble. Legislative Council to "A Bill Entitled An Act to amend the Victoria Incorporation Act, 1862" be read 1o. On motion of Mr. De Cosmos, 2nded by Mr. McClure, it was unanimously Ordered "That the Bill be forthwith returned to the Honble. Legislative Council, their Amendments not having been agreed to."

On question proposed "that the Amendments by the Honble. L. Council to the 'Appropriation Act, 1866' be read 1o. Mr. De Cosmos moved An Amendment "that the Bill be forthwith returned to the Honble. L. Council, their Amendments not having been agreed to."

Also a Resolution "that this House does not concur with the Amendments of the Honble. L. Council to the 'Appropriation Act, 1866' and denies the right of the Honble. L. Council to amend the same."

The Amendments by the Honble. L. Council to the "Patent Act, 1866" were Read 1o.

Mr. Cochrane, pursuant to notice, moved "that the Standing Orders be suspended for the purpose of rescinding the Resolution preventing the Governor from selling the Dredging Machine should a fair price be offered."

Seconded by Mr. Pidwell.

On question put "that the Standing Orders be suspended" The House divided.

Ayes: 3.

Messrs. Cochrane
De Cosmos
Pidwell

Noes: 2.

Messrs. Trimble
Young

Mr. Speaker thereupon announced "that as the $\frac{2}{3}$ majority required had not been recorded in favor of Suspending the Standing Orders, the motion to suspend had been lost."

On motion of Mr. Young, 2nded by Dr. Dickson, it was Ordered "That the proceedings and report of the Select Committee in re Patrick Brannon be transmitted to His Excellency."

House in Comtee. to report upon "Supplemental Supply Act /65" \$26,581.

Dr. Dickson in Chair.

Report progress and asked leave to sit again.

Ordered "that leave be granted."

The House then adjourned till tomorrow.

J. S. Helmcken
Speaker

Thursday, the 30th day of August, 1866

The House met this day at 3 p. m. pursuant to adjournment.

Present: Mr. Speaker in the Chair and Messrs. Carswell, Dickson, De Cosmos, McClure, Powell, Young.

The last minutes having been read and confirmed.

A Communication was received from the Honble. L. Council transmitting the following Amendments by the Honble. L. C. to "The Victoria and Esquimalt Harbor Dues Act, 1866" as follows:

Clause 1. Amended to read "The Victoria and Esquimalt Harbor Dues Act, 1862, and the Harbor Dues Amendment Act, 1865, are hereby repealed."

Clause 2. Line 1. "Strike out the word "passage" and insert "passing."

Line 3. Strike out the words "to the Harbor Master of Victoria."

Line 6. After word "heretofore" insert "existing"—and strike out the words "made in respect of."

Line 7. Strike out the words "aforesaid the Scale of Fees upon Vessels entering or departing from the Harbor of Victoria or Esquimalt."

Clause 3. Add to the Clause the following words "and also all the other dues or charges of whatsoever nature they may be, which in the exercise of his discretion he shall deem it expedient to remit."

Clause 4. Amend by striking out the words "and either of the aforesaid harbors"—on the third and fourth lines also the words—"of Victoria Harbor"—on the eighth line also, the word "either" on the tenth line and in place of that word insert the words "any port of Entry of the said Colony."

Clause 5. Amend by striking out the word "ships" in the 4th line and inserting the word "Vessels" after words, "vice versa"—on 6th line insert other than the Harbors or Ports of Entry in this Colony.

Clause 7. Amend by striking out "Victoria and Esquimalt" in the 3rd and 4th lines and inserting "any Harbor or Port of Entry" and striking out "of Victoria" in the 6th line and "said" on the 8th line.

Clause 8. In the 4th line of declaration strike out word "agree" and insert "bind himself." Add after the word "Colony" in 9th line the words "except with the permission of the Harbor Master." Add the following Proviso. "Provided always that nothing herein contained shall prevent any necessary breaking of bulk for the purpose of re-packing damaged or perishable articles provided the same be effected with the permission and under the provision of the Harbor Master."

Clause 9. Strike out the word "desirous" in the 3rd line and substitute "required."

Clause 10. Insert the words "by summary process as hereinafter mentioned" after the word "recover" in the first line.

Clause 11. Insert the words "or neglecting or refusing to pay the licence or fees as aforesaid" after the word "aforesaid" in the 2nd line. Strike out the words "with or without hard labor" in the 6th and 7th lines.

Clause 12. Strike out the words "for the purposes of this Act."

Clause 13. Strike out the words "Victoria and Esquimalt."

Schedule A. Strike out the words "Victoria and Esquimalt" and substitute "Vancouver Island and its Dependencies."

Preamble. Insert the words "The Victoria and Esquimalt Harbor Dues Act, 1862" after the word "the" in the second line. Strike out the words "Victoria and Esquimalt" on 2nd line and the word "Amendment" in 3rd line—and "Victoria and Esquimalt" in 5th and 6th lines & insert the words "Vancouver Island and its Dependencies."

Title. Strike out the words "Port of Victoria &c" to end and add "Ports of Vancouver Island and its Dependencies."

The foregoing Amendments were then taken up seriatim and agreed to—and Read 1o. Except the Amendment to Clause 3 which was not agreed to.

On motion of Mr. De Cosmos, 2nded by Mr. McClure Ordered "that the Standing Orders be suspended and the Amendments of the Honble. L. Council be read 2o, and transmitted to the Honble. L. Council."

The Amendments by the Honble. L. Council to "Patent Act, 1866" were read 2o and committed.

Mr. Young from the Committee on Expenditure handed in the report of that Committee as follows

Your Committee has to report that its Chairman went to the Treasury to ascertain from the Treasurer if a Committee of the House would be allowed to examine the Accounts of Expenditure of 1865, he replied that he had no authority to permit it and referred the Chairman to the Colonial Secretary who said he would see the Governor and report to the Chairman. The Chairman made several attempts to obtain an answer without success. Your Committee has also to remind the House that the Speaker wrote to the Governor on the subject, but without any result that Your Committee is aware of.

(Sd.) Char. B. Young
Chairman.

The House then went into Committee upon the "Patent Act, 1866."

Also to report upon "The Supplemental Supply Act, 1866 (\$26,581.64).
Dr. Dickson in Chair.

The Chairman reported in regard to the first "that he had not any report to make." In regard to the 2nd A Resolution "That the Committee having had under consideration a Bill entitled An Act to grant a Supplemental Supply of \$26,581.64 for the service of the year 1865 sent down to this House by the Executive cannot grant such a Supplemental Supply in as much as the amount asked for has been expended in excess of the Supplies voted by the House and the Executive has refused to allow the House to examine the accounts of the public Expenditure for the Year 1865, and this House further declares that when a certain amount of Expenditure for a particular service has been determined upon by the Legislature it is the bounden duty of the Department which has that service under its charge and control to take care that the Expenditure does not exceed the amount placed at its disposal for that purpose."

Certain Resolutions were received from the Honble. Legislative Council in reply to the Message of this House declining to recognise the right of the Honble. Legislative Council to amend the Appropriation Act, 1866—as follows:

That this Council has unanimously agreed to the grant to the Crown of the Sum of \$248,963.32 for the public service of the Colony for the Year 1866, but this Council has been compelled to reject the Schedule accompanying the Bill in which such grant was made by the Legislative Assembly in as much as that Schedule contained numerous tacks or Clauses wholly foreign to the principle and purport of the Bill to which it was attached and of which it purported to form a part and in particular reproduces one measure which this Council had already this Session rejected.⁷⁸

That while this Council does not desire to interpose between the Crown and the Legislative Assembly in matters of Supply and is prepared by its vote to confirm and support any constitutional application of public moneys towards the various and necessary objects of the public service; yet at the same time it feels bound to record its deliberate opinion that any attempt on the part of the Legislative Assembly to coerce the action of the Legislative Council by annexing to "Supply Bills" matters foreign to their expressed object and purport is both irregular and unconstitutional, and calculated seriously to embarrass public affairs and to impede the progress and prosperity of the Colony.

Resolved—That the Supply Bill be sent back to the Legislative Assembly with a copy of the foregoing Resolution.

(Sd.) E. J. Nesbitt
Clerk of the Council

The following Bills were received from the Honble. L. Council.

A Bill to amend the Bills of Sale Act, 1861.

A Bill to amend the Law of Trespass, 1866.

Ord. to be read 1o. respectively.

The House then adjourned till tomorrow at 1 p. m.

J. S. Helmcken
Speaker.

Friday, the 31st day of August, 1866

The House met this day at 1 p. m. pursuant to adjournment.

Present: Mr. Speaker in Chair and Messrs. Ash, Carswell, Cochrane, McClure, Pidwell, Trimble, Young, De Cosmos.

The last minutes having been read and confirmed.

The following Resolutions reported from Committee of the whole House yesterday upon "The Supplemental Supply Act, 1865," (\$26,581.64) were Read 2o. and Ordered to be transmitted to His Excellency the Governor.

That the Committee having had under consideration the Supplemental Supply Act, 1865 (26,581.64), had ordered him to report a resolution that the Committee cannot grant such a supplemental supply, inasmuch as the amount asked for has been expended in excess of the supplies voted by the

⁷⁸ The rejected Bill referred to is The Real Estate Tax Act. See minutes of the Legislative Council of Vancouver Island, 1 September 1866.

House, and the Executive has refused to allow this House to examine the accounts of the public expenditure for the year 1865. And this House further declares, that when a certain amount of expenditure for a particular service has been determined upon by the Legislature, it is the bounden duty of the department which has that service under its charge and control, to take care that the expenditure does not exceed the amount placed at its disposal for that purpose.

The resolution was adopted *nem. con.*

Bills read 2o. and committed.

A Bill To amend the Bills of Sale Act, 1861.

A Bill to amend the Law of Trespass (Dissentiente Dr. Ash).

The House then went into Committee upon the above Bills.

Dr. Trimble in the Chair.

The Chairman reported in regard to the first, the Bill complete as amended. In regard to the second "that a question had arisen in Comtee. which was Ordered to be referred to Mr. Speaker in Chair, as to whether or not Clause 1 of the Law of Trespass Bill did not render it in effect a Money Bill.

Mr. Speaker ruled that the wording of the Clause did not bring the Bill strictly within the term of being a Money Bill.

On motion of Mr. De Cosmos, 2nded by Mr. Cochrane, It was ordered unanimously "that the Standing Orders be suspended to expedite the 3rd Reading of 'A Bill to amend the Bills of Sale Act, 1861.' "

Read 3o. and passed "A Bill To amend the Bills of Sale Act, 1861."

The House then took under consideration certain Resolutions received from the Honble. Legislative Council yesterday (f. 523-4 [p. 554 above]) in reply to the Message of this House declining to recognise the right of the Honble. Legislative Council to amend the "Appropriation Act, 1866" and in reply thereto, on motion of Mr. De Cosmos, seconded by Mr. McClure the following Resolutions were introduced.

Resolved, That the House in reply to the Resolutions of the hon. Legislative Council, dated August 30, 1866, is of the following opinion:

1. That the Legislative Council does not possess any constitutional right to originate, amend or alter a bill granting a supply to the Crown, or to alter, amend, or strike out the schedule of any such bill or any part thereof, or even to suggest to this House a desire to amend, alter, or strike out any part of a Bill granting a supply to the Crown, or even to correct any portion of such Bill, unless the same is clearly a clerical error contrary to the resolutions of this House in Supply, or even to return such a bill to this House except when assented to by the Council.

2. That this House recognizes no right or privilege whatever, in the Hon. Legislative Council, respecting a bill in which this House grants a supply to the Crown, except the constitutional right to reject or assent to such bill.

3. That this House possesses the sole and exclusive right to grant supplies to the Crown, and in every Bill of Supply to limit the time for which such grant shall be made, to name the amount of money to be expended for each

and every service chargeable on the general revenue, and to attach such conditions to every such grant as in the judgment of this House is right, proper, and for the public good.

4. That the hon. Legislative Council, in striking out the Schedule to the Bill of Supply for 1866, with the intention of leaving the total grant for 1866, viz.: the sum of \$248,963.32, to be expended at the discretion of the Executive independently of the wishes of this House; and in twice returning such Bill so amended to this House (without the Schedule) has exceeded its lawful authority, has violated the undoubted privileges of this House, has endangered the liberties of the people and of this House, and has interposed an unlawful authority between this House and the Crown, thereby retarding the best interests of the country by preventing this House from granting a Supply to the Crown for the current year.

5. That this House denies that the Schedule to the Bill of Supply contains any "tacks," "clauses" or provisions "foreign to the principle and purport" of the said Bill, or anything that this House had not a lawful and undoubted right to attach thereto.

6. That if any one measure is reproduced in the schedule which the Legislative Council has rejected this session, this House is not aware of it; but even if such one measure so rejected has been reproduced, and if such one measure is a condition attaching to the duties of any public officer paid out of the general revenue, this House maintains that it had and has an undoubted right to attach such a condition thereto. That even if such condition or "one measure" were attached unconstitutionally to the Supply Bill (which this House denies) the only authority that the hon. Legislative Council could constitutionally exercise, would be the right to assent to or reject the Bill as a whole; but it possesses no authority to attempt to amend a Bill of Supply for any such cause.

7. That this House deliberately, and unequivocally declares that it has not made "any attempt" whatever "to coerce the action of the Legislative Council" by inserting anything whatever in the Supply Bill or in the Schedule thereto. That whatever provisions there may be in the body of the Bill of Supply or in the Schedule thereto, have been made in the exercise of the undoubted right of this House to grant a Supply to the Crown, subject to such limitations as in the judgment of this House are best calculated to guard against an undue expenditure of the general revenue, and at the same time to "promote the progress and prosperity of the Colony."

Resolved, That the above Resolutions be transmitted to the Legislative Council.

The above Resolutions were then taken up seriatim.

Clause 1 on question put—was carried *Dissentiente* Mr. Pidwell.

"	2	"	"	"	"	"	unanimously.
"	3	"	"	"	"	"	Diss. Messrs. Ash, Pidwell.
"	4	"	"	"	"	"	Disste. Mr. Pidwell.
"	5	"	"	"	"	"	Diss. Messrs. Ash, Pidwell.
"	6	"	"	"	"	"	Diss. Mr. Pidwell.
"	7	"	"	"	"	"	Diss. " "

On question put "that the *Resolution* added to Clause 7 do pass" it was *Ordered* unanimously that the words "and the Supply Bill" be erased.

On question proposed and put "That the House resolve itself into Comtee. upon the "Law of Trespass Act, 1866" The House divided.

Ayes: 4.

Noes: 4.

Messrs. Carswell

Messrs. Ash

Dickson

Cochrane

De Cosmos

Trimble

Pidwell

Young

Mr. Speaker gave his casting Vote with the Noes. The Motion was therefore lost.

On motion of Dr. Dickson, seconded by Mr. De Cosmos, it was unanimously resolved "That this House desires to express its high appreciation of the ability and zeal with which R. W. Torrens, Esqre. has discharged the various duties which have devolved upon him in his capacity of Clerk of the House during the past three years."

The House then adjourned till 1 p. m. tomorrow.⁷⁹

J. S. Helmcken
Speaker

⁷⁹ By successive proclamations on 1 and 2 September 1866, Governor Kennedy first prorogued and then dissolved the House in keeping with the terms of the Franchise Act, 1859, which limited the duration of the House to three years from the date of its first meeting. On 19 November 1866 Governor Frederick Seymour of British Columbia proclaimed An Act for the Union of the Colony of Vancouver Island with the Colony of British Columbia, which effectively terminated the existence of Vancouver Island as a separate colony and extended the form of government of British Columbia over the island.

APPENDICES

APPENDIX A

COLONIAL ESTIMATES AND ACCOUNTS OF THE COLONY OF VANCOUVER ISLAND 1864-66

1864

COLONIAL ESTIMATES AND ACCOUNTS, VANCOUVER ISLAND

Abstract of the Probable Revenue of the Colonial Government of Vancouver Island for the Year 1864.¹

HEADS OF REVENUE.		ESTIMATE, 1864
1. Real Estate Tax		\$65,300
2. Trade Licenses		27,580
3. Liquor Licenses		24,000
4. Land Sales		31,912
5. Land Revenue		1,528
6. Harbor Dues		17,000
7. Postage Dues		3,500
8. Fines, Forfeitures and Fees		9,000
9. Fees of Office		4,000
10. Miscellaneous		200
11. Reimbursements		1,000
12. Lighthouses		3,500
Revenue for the year 1864		188,520
Arrears of Revenue		25,000
Due by the Colony of British Columbia on account of Temporary Loans repayable on demand		43,650
Due by the Colony of British Columbia on account of Lighthouse Expenditure		4,384 63
Advances to the Crown Agents, London, to be accounted for		55,104 97
Balance of £40,000 Loan undrawn, £6,168		29,914 80
Advances to Heads of Departments to be accounted for		148 50
Due by the Corporation of the City of Victoria		5,362
Due by the Home Government		10,258 85
Balance in Treasury		23,525 68
Total		\$385,869 43

¹ *Colonist*, 16 January 1864.

Abstract of the Sums required to defray the Expenses of the Colonial Government of Vancouver Island for the Year 1864.

HEADS OF EXPENDITURE.		ESTIMATE, 1864
1. Establishments		\$
Fixed Salaries	\$42,970	
P & T Salaries	28,360	
Office Contingencies	5,586	
		76,916
2. Administration of Justice		3,606
3. Charitable Allowances		2,750
4. Police and Gaols		9,487
5. Rent		1,760
6. Education		5,000
7. Conveyance of Mails		11,800
8. Works and Buildings		78,078
9. Roads, Streets & Bridges		51,800
10. Miscellaneous		26,112 50
11. Interest on £40,000 Loan		11,640
12. Sinking Fund for do.		7,760
13. Lighthouses		7,000
14. Revenue Services		1,600
Total		\$295,309 50

ESTABLISHMENTS DETAILED.

CIVIL

THE GOVERNOR.	
The Governor	\$14,550
COLONIAL SECRETARY.	
Colonial Secretary	2,910
Clerk	1,500
Messenger	480
Occasional Assistance in copying, etc.	500
Office Contingencies	500
TREASURER.	
Treasurer	2,910
Clerk	1,200
Office Contingencies	720
AUDITOR.	
Auditor	725
Clerk	370
Contingencies	80
SURVEYOR GENERAL.	
Surveyor General	2,425
Assistant do.	1,700
Occasional do.	500
Contingencies	580
ASSESSOR.	
Assessor	2,425
Assistance for copying	200
Contingencies	206
HARBORMASTER	
Harbormaster	1,600
Clerk	750
Boatmen	500
Office contingencies	205

POSTMASTER	
Postmaster	1,300
Clerk	500
Occasional assistance	1,000
Contingencies	175

II.—JUDICIAL.

CHIEF JUSTICE	
Chief Justice	3,880
Registrar	1,500
Clerk of Writs	1,000
Contingencies	250

ATTORNEY-GENERAL	
Attorney-General	1,455
Clerk	1,000
Contingencies	250

SHERIFF	
Sheriff	1,000
Occasional Assistance	250
Contingencies	100

REGISTRAR-GENERAL	
Registrar-General	1,940
Advance on Registrar-General's Salary	485
Contingencies	250

COMMISSIONER OF POLICE	
Commissioner	2,000
Superintendent, including allowance for horse hire	1,500
Clerk and Store-keeper	800
Two Sergeants at \$1 75 per diem	1,277 50
Eight Constables at \$1 50 per diem	4,380
Cook at \$1 50 per diem	547 50
One Sergeant for the Town of Esquimalt at \$2 per diem	730
Contingencies	100
Extra Constables on Emergencies	500

GOVERNOR OF GAOL	
Governor of Gaol	500
One Gaoler	750
One Assistant-Gaoler	600
One Superintendent of Convicts	800
Two Convict Guards at \$1 50 per diem	1,095
Two Door Guards at \$1 50 per diem	1,095
Contingencies	25

MAGISTRATE, &c., NANAIMO	
Magistrate and Harbor Master	1,700
Constable	500
Contingencies	50

LEGISLATIVE COUNCIL	
Clerk	500
Contingencies	100

HOUSE OF ASSEMBLY	
Clerk	1,700
Contingencies	750
Occasional Assistance, Expenses of Committees, &c.	1,000

RECAPITULATION OF FOREGOING ESTABLISHMENTS.

	Salaries Fixed	Salaries P and T	Office	Total
The Governor	\$14,550			\$14,550
Colonial Secretary	4,890	\$500	\$ 500	5,890
Treasurer	4,110		720	4,830
Auditor	1,095		80	1,175
Surveyor General	4,125	500	580	5,205
Assessor	2,425		406	2,831
Harbor Master		2,850	250	3,100
Postmaster		2,800	175	2,975
Chief Justice	6,380		250	6,630
Attorney General	2,455		250	2,705
Sheriff	1,000	250	100	1,350
Registrar General	1,940	485	250	2,675
Commiss'r of Police		11,735	100	11,835
Governor of Gaol		4,840	25	4,865
Magistrate, Nanaimo		2,200	50	2,250
Legislative Council		500	100	600
House of Assembly		1,700	1,750	3,450
	\$42,970	\$28,360	\$5,586	\$76,916

ADMINISTRATION OF JUSTICE, EXCLUSIVE OF ESTABLISHMENTS.

ATTORNEY-GENERAL	
Expenses of prosecutions	\$1,250
SHERIFF	
Criminal punishments	500
QUARTER SESSIONS	
Fees	250
CORONER	
Fees to Coroner	\$300
Fees to witnesses and others	500
Removal and burial of bodies	576
Contingencies	230
	1,606
	\$3,606

CHARITABLE ALLOWANCES.

Victoria Hospital	\$2,500
Female Hospital	250
	\$2,750

POLICE AND GAOLS, EXCLUSIVE OF ESTABLISHMENTS.

POLICE	
Clothing for Superintendent and 11 men	\$ 900
Fuel, water, and light	772
Bedding	75
Transport	350

Ammunition and repair of arms	50	
Building and repairs	300	
Incidental expenses	350	
		2,797
GAOLS		
Expense of keeping 50 prisoners	3,650	
Clothing for Superintendent of Convicts and 4 guards	375	
Clothing for prisoners	300	
Fuel and light	315	
Medicine and medical attendance	650	
Tools and implements	800	
Bedding and other necessities	300	
Ammunition and arms	50	
Incidental expenses	250	
		6,690
		<u>\$9,487</u>

RENT.

Rent of a residence for the Governor	\$1,000
Rent of Harbormaster's office	330
Rent of Post Office	330
Rent of Gaol, &c., Nanaimo	100
	<u>\$1,760</u>

EDUCATION, EXCLUSIVE OF ESTABLISHMENTS.

Victoria District	\$1,000
Craigflower	1,000
Nanaimo	1,000
Esquimalt	500
Cedar Hill	500
Saanich	500
Lake	500
Total	<u>\$5,000</u>

CONVEYANCE OF MAILS.

To New Westminster, British Columbia	\$1,000
To and From Esquimalt	300
To and From Nanaimo, Cowichan, &c.	1,500
To and From San Francisco	9,000
Total	<u>\$11,800</u>

WORKS AND BUILDINGS.

SURVEYOR-GENERAL

Improvement of Victoria Harbor.

SALARIES, (including Premiums)—

Two Engineers, nine months, at \$120 each	\$2,160
Four Stokers, 9 months, at \$75 each	2,700
Master of screw tug, 9 months, at \$120	1,080
Crew (two men), 9 months, at \$50	900
Cost of steam dredge and steam machinery	29,100
Hull of dredging machine, and tug boat, scows, barges, coal, and working expenses	30,000
	<hr/>
	65,940
Painting exterior of all the Government buildings, except the new Court House	1,500
Erection of Powder Magazine, unexpended 1863	3,638
Fencing part of Government Square, to keep carts on the road	500
Repairs to Government buildings	2,000
Fencing in a portion of Beacon Hill Park, to prevent depredations and injury to the trees, &c.	1,000
Construction of an office for Harbourmaster, and landing place	2,000
	<hr/>
	500
	<hr/>
	1,000
	<hr/>
	\$78,078

HARBORMASTER

Painting and repairing buoys 500

SPEAKER HOUSE OF ASSEMBLY

Furniture and fittings for House of Assembly 1,000

\$78,078

ROADS, STREETS, AND BRIDGES.

Burnside Road Deviation	\$ 2,000
Burnside Road, round head of Inlet	2,000
West Saanich Road, from Victoria to Thompson's	10,000
West Saanich Road, from Thompson's, running north of Mount Newton	5,000
West Saanich Road, cross road at Thompson's, and two bridges	700
East Saanich Road, north of Mount Newton	2,000
Shawnigan to Cowichan	3,000
Quamichan Road, deviation, and building three bridges	1,500
Comox Road—Cowichan to Comox, am't necessary to complete existing contract	5,000
Esquimalt Road	2,500
Metchosin Road	8,600
Metchosin Road—Branch to Gold Stream	1,000
Cedar Hill Roads, old and new lines	6,000
Mount Tolmie to Cadboro Bay Road, at Tod's	600
To connect Beacon Hill Park with Foul Bay Road, by way of Clover Point	1,000
To connect Beacon Hill Park with City of Victoria, by way of Point Ogden	1,500
	<hr/>
	\$51,800

MISCELLANEOUS

Sheriff—Copying Lists of Voters	\$ 150
House of Assembly—Formation of Library revote unexpended in 1863	1,000
Colonial Secretary—Printing, including Acts of Legislature	4,000
Surveyor-General—Surveys, Comox District	1,000
Cowichan Resurvey of 75 miles at \$5 5 per mile by present Land Recorder	412 50
Occasional employment of a Surveyor to assist Settlers in taking up Land	250
Explorations and Surveys and assisting Explorers	5,000

Land Recorder at Cowichan at \$50 per month	600
Indian Claims—Payment for Lands at Chemanis, Cowichan, &c., unexpended in 1863	9,700
Immigration—To aid immigration, and to assist in the maintenance of an office to give information to immigrants	3,000
Indian Services	500
Revising List of Voters, and Expenses connected therewith	400
For clearing and preservation of Small Arms, the property of the Colony	100
Total	\$26,112 50

ANNUAL INTEREST ON ROAD AND HARBOR LOAN, 1862.

Interest at the rate of six per centum per annum on £40,000	£2,400	\$11,640
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SINKING FUND—"ROAD AND HARBOR LOAN, 1862."

Five per cent. of Loan (Half-yearly), less interest, at the rate of £6 per centum per annum on £40,000 — £1,600, or	\$7,760
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LIGHT-HOUSES DETAILED.

SALARIES

Two Commissioners	\$ 970	
Keeper & Assistants of Race Rocks Light	1,794 50	
Keeper & Assistant-Keeper of Fisgard Light	727 50	
	<hr/>	3,492
Office Contingencies		50
Stores		1,000
Works and Buildings		1,458
Provisions		1,000
Total		\$7,000

REVENUE SERVICES DETAILED.

Expenses connected with the Assessment of Real Estate, Printing, &c.	\$ 1,000
Expenses connected with the Assessment of Trades and Professions.	600
Total	\$1,600

COMPARATIVE STATEMENT OF THE ESTIMATED EXPENDITURE OF VANCOUVER ISLAND FOR THE YEAR 1864, AND THE ACTUAL EXPENDITURE OF THE YEAR, AS TAKEN FROM THE ACCOUNTS MADE UP FROM 1st JANUARY TO 31st DECEMBER, 1864.²

	Estimated Expenditure as voted for 1864.	Actual Expenditure, 1864.	Overdraft.	Underdraft.	Reference to Remarks.
CIVIL ESTABLISHMENTS.					
The Governor	\$	1,605 86	1,605 86		a
Legislative Council	600 00	624 78	24 78		b
Legislative Assembly	3,450 00	3,726 37	276 37		c
Colonial Secretary	2,980 00	4,039 40	1,059 40		d
Treasurer	1,920 00	4,098 68	2,178 68		e
Auditor	1,175 00	1,023 49		151 51	
Surveyor General	2,780 00	5,868 95	3,088 95		f
Registrar General	2,675 00	2,441 26		233 74	
Assessor	2,831 00	2,374 64		456 36	
Postmaster	1,825 00	1,633 93		191 07	
Harbormaster	2,700 00	2,411 92		288 08	
JUDICIAL ESTABLISHMENTS					
Supreme Court	2,750 00	6,029 89	3,279 89		g
Attorney General	1,250 00	2,453 03	1,203 03		h
Sheriff	1,350 00	1,046 62		303 38	
Police, &c., Establishment	16,450 00	15,329 02		1,120 98	
Stipendiary Magistrate, Nanaimo	2,250 00	2,189 84		60 16	
do Sooke		749 34	749 34		i
Pensions, Retired Allowances, &c.	2,425 00			2,425 00	
Revenue Services, Exclusive of Establishments	1,600 00	1,633 63	33 63		j
Administration of Justice, do	3,606 00	3,374 34		231 66	
Charitable Allowances	5,250 00	5,050 00		200 00	
Education	10,000 00	4,993 76		5,006 24	
Police and Gaols, Exclusive of Establishments	9,487 00	7,773 70		1,713 30	
Rent	760 00	1,796 64	1,036 64		k
Transport		136 50	136 50		l
Conveyance of Mails	13,800 00	6,483 30		7,316 70	
Works and Buildings	75,078 00	88,703 32	13,625 32		m
Roads, Street and Bridges	65,200 00	51,321 89		13,878 11	
Miscellaneous Services	24,612 50	20,006 79		4,605 71	
Interest	11,640 00	16,630 83	4,990 83		n
Sinking Fund	7,760 00	11,824 68	4,064 68		o
Lighthouses	7,000 00	6,445 44		554 56	
Drawbacks and Refunds	500 00	754 49	254 49		p
	285,704 50	284,576 33	37,608 39	38,736 56	

a For salary of Private Secretary and office contingencies of the Governor's department.

b The necessary expenses of the Council exceeded the vote by this amount.

c The same remark applies to this excess over the vote for the Legislative Assembly.

d This is principally for Stationery, a portion of which was supplied to other Departments in which the expenditure was less than the sums voted.

e Drawn under Resolution of the Legislative Assembly, 2d July, 1864.

² Vancouver Island (Colony). Vancouver Island: Comparative Statement of the Estimated Expenditure, 1864, uncatalogued MS., Northwest Collection, PABC.

f In consequence of the absence of the Surveyor General in England during a part of 1863 a portion of his salary was not drawn till 1864.

g }

h } Drawn under Resolutions of the Legislative Assembly, 2d July, 1864.

i This amount, for which no provision had been made, was paid to the Stipendiary Magistrate on the discovery of the Sooke gold field.

j For clerical assistance to the Assessor beyond the amount voted.

k Rent for the residence of his Excellency the Governor.

l Traveling expenses of public officers.

m This expenditure over the amount voted was principally incurred in connection with the improvements of Victoria Harbour.

n Interest paid by the Crown agents in 1863 but not brought to account in the Treasurer's books till 1864.

o Sinking Fund invested by the Crown agents in 1863, but not brought to account in the Treasurer's books till 1864.

p Overpayment of Taxes refunded.

(Signed)

ROBERT KER,
Acting Auditor.

1865

COLONIAL ESTIMATES AND ACCOUNTS,
VANCOUVER ISLAND

A & B

ABSTRACT OF THE PROBABLE REVENUE of the Colonial Government of Vancouver Island for the year 1865, showing also the Revenue received under the similar heads in the year 1863 being the year previous to that in which the Estimates are prepared.³

ESTIMATE FOR 1865.

Real Estate Tax, \$110,000; Port and Harbor Dues, 17,000; License Liquor, 20,800; License Trading, 34,000; Postage, 6,700; Fines, Forfeitures, and Fees of Court, 9,000; Fees of Office, 4,000; Reimbursements in aid of expenses incurred by Government, 9,208 77; Miscellaneous receipts, 1000; Interest, 600; Deposits, 500. Total, \$212,808 77. Debt of City of Victoria (approximate balance) 66,760; Balances (approximate)—In hands of Crown Agents, \$5,582; do. of Loan undrawn, 5,564; Balance in Treasury 31st December, 1864, 9,083 60. Total, \$239,899 25.

REVENUE OF 1863.

Real Estate Tax, \$42,945 25; Port and Harbor Dues, 17,284 66; Land Sales, 23,759 39; Land Revenue, 395 84; License Liquor, 23,833 94; License Trading, 17,884 61; Postage, 2,258 45; Fines, Forfeitures and Fees of Court, 8,602 78; Fees of Office, 3,869 47; Reimbursements in aid of expenses incurred by Government, 1,790 50; Miscellaneous Receipts, 2,318 10; Rents, 1,261 25; Interest, 2,740 16; Deposits, 337 31. Total, \$149,281 71.

REVENUE DETAILED—ESTIMATE OF 1865

Real Estate Tax, \$110,000.

Port and Harbor Dues—Port Entrances, \$3500; Port Clearances, 3500; Coasting Licenses, 2000; Permits for landing goods, 7500; Records, Registers and Declarations, 500; Total, \$17,000.

Licenses Liquor—Retail Licenses, \$19,100; Wholesale Licenses, 1700; Total, \$20,800.

Licenses Trading—Annual Licenses, \$11,500; Half yearly Licenses, 21,500; Auction Duty, 1000; Total, \$34,000.

Postage—Public Letters, \$1000; Private Letters, 5700; Total, \$6700.

Fines, Forfeitures and Fees of Court—Supreme Court, \$6000; Magistrate's Courts, 2500; Bankruptcy Courts, 500; Total, \$9,000.

Fees of Office, \$4000.

Reimbursements in aid of expenses incurred by Government, \$9,208 77.

Miscellaneous Receipts, \$1000.

Interest \$600.

Deposits, \$500.

Total, \$212,808 77.

REVENUE OF 1863.

Real Estate Tax, \$42,945 25.

Port and Harbor Dues, \$17,284 66.

Land Sales, \$23,759 39.

Land Revenue, \$395 84.

³ *Colonist*, 14 January 1865.

Licenses Liquor, \$23,833 94.
 Licenses Trading, \$17,884 61.
 Postage, \$2258 45.
 Fines, Forfeitures and Fees of Court, \$8602 78.
 Fees of Office, \$3869 47.
 Reimbursements in aid of expenses incurred by Government, \$1790 50.
 Miscellaneous Receipts, \$2318 10.
 Rents, \$1261 25.
 Interest, \$2740 16.
 Deposits, \$337 31.
 Total, \$149,281 71.

B

ABSTRACTS of the sums required to defray the expenses of the Colonial Government of Vancouver Island, for the year from 1st of Jan. to 31st Dec., 1865, showing also the amount actually expended in the year previous to that in which the Estimates are prepared, viz., 1863.

ESTABLISHMENTS.—Fixed Establishment, \$89,665 75; provisional and temporary, \$12,119; allowances, \$1300; office contingencies, \$32,270; for the year 1865, \$135,354 75; for the year 1863, \$62,780 41.

Pensions, Retired Allowances and Gratuities for 1865, \$2425.
 Revenue Services, inclusive of establishments, for 1863, \$887 25.
 Administration of Justice, inclusive of establishments, for 1865, \$2100; for 1863, \$3833 60.
 Ecclesiastical, inclusive of establishments, *nil*.
 Charitable Allowances, for 1865, \$500; for 1863, \$250.
 Education, inclusive of establishments, for 1865, \$10,000; for 1863, 1050.
 Hospitals, exclusive of establishments, for 1865, \$6,500.
 Police, exclusive of establishments, for 1865, \$3,725; Gaols, exclusive of establishments for 1865, 7,023; Police and gaols, for 1863, 8,484 29.
 Rent, for 1865, \$2,580; for 1863, 757.
 Transport, for 1865, \$2,000.
 Conveyance of mails, for 1865, \$32,251; for 1863, 10,896 35.
 Works and buildings, for 1865, \$12,493; for 1863, 7,775 11.
 Roads, streets, and bridges, for 1865, \$73,350; for 1863, 50,697 18.
 Miscellaneous services, for 1865, \$18,050; for 1863, 6,168 93.
 Interest, for 1865, \$19,400; for 1863, 952 29.
 Reimbursements, for 1865, \$49,215 15.
 Immigration, for 1865, \$10,000.
 Indians, for 1865, \$2,500.
 Total, for 1865, \$390,466 90; for 1863, 157,532 41.

ESTABLISHMENTS DETAILED.

Governor, provided out of Crown Revenue; Private Secretary, \$1750; Messenger, 480; Total, \$2,180.

LEGISLATIVE COUNCIL.—Clerk, \$500; Fuel, light and petty expenses, \$150. Total, \$650.

LEGISLATIVE ASSEMBLY.—Clerk, \$1700; Messenger, 600; Extra Clerical Assistance, 500; Drafting of Bills, 1,000; Furniture and Fittings, 1,000; Expenses of Witnesses, \$100; Fuel, light and petty expenses, 250; Library (Purchase of Books, &c.), 1000. Total, \$6150.

COLONIAL SECRETARY.—Colonial Secretary provided out of Crown Revenue; Chief Clerk, \$1500; Second Clerk, 1000; Messenger, 480; Stationery for Public Offices, 2500; Furniture for Public Offices, 200; Postage for Public Departments, 1000; Fuel, Light for Departments, 1000; Printing for do., including Acts of Legislature, 5000; Petty Expenses, 250. Total, \$12,930.

TREASURER.—\$2910; Clerk, 1200; Assessor, 2425. Contingencies—Extra clerical assistance, 600; Advertising, and petty expenses, 750. Total, \$7885.

AUDITOR.—\$1940; Clerk, 1000. Total, \$2940.

SURVEYOR-GENERAL.—Surveyor General, \$2425; Assistant-Surveyor, 1700; Superintendent of Roads, 1500; Clerk, 1200; Land Recorder at Cowichan, 600. [Provisional and Temporary]:—Superintending Engineer Victoria harbor, \$2425; Master of Tug do, 1200; Engineer do do,

1067; Blacksmith do do, 700; 2 Stokers do do, 700 each, 1400; 2 Crew do do, 360 each, 720; Engineer of Dredge do, 1067; Blacksmith, do do, 700; 2 Firemen do do 700 each, 1400; 4 Crew do do 360 each, 1440; Contingencies—Miscellaneous Explorations and Surveys, \$5000; Fuel for Tug and Dredger, 7200; Petty expenses, 240. Total, \$31,984.

HARBOR MASTER.—Harbor master, \$1500. Shipping Master and Officer to carry out Passengers and Merchant Shipping Acts, 250; Boatman, 500. Contingencies—Painting and repairing Buoys, 400. Total, \$2650.

LIGHTHOUSES.—Commissioner, \$500; Commissioner and Secretary, 750; Medical Officer 60; Light Keeper, Race Rocks, 763 08; 1st Assistant do do, 510 88; 2nd Assistant do do, 410; 3rd Assistant do do, 208 04; Light Keeper, Fisgard, 750; Assistant do do, 100. Allowances—Provisions and Fuel for Light-keepers, 1300. Contingencies—Books for Library, 150; Stores, 500; Petty Expenses, 100. Total, \$6102.

POST OFFICE.—Victoria: Postmaster, \$1940; Clerk, 1455; 2 Letter carriers at \$2 per diem each, 1460. Esquimalt: Postmaster, 485. Nanaimo: Postmaster, 485. Sooke, Postmaster, 485. Contingencies—Extra Clerical Assistance, 750; Postage Stamps, 500; Mail Bags and Petty Expenses, 100. Total, \$7660.

REGISTRAR GENERAL.—\$2425.

JUDICIAL.—Chief Justice of Supreme Court, \$5820; Registrar do., \$1500; Clerk of Writs do, \$1000; Crown Solicitor, \$1500; Sheriff, \$1000; Stipendiary Magistrate and visting Magistrate of Gaol, Victoria, \$2250; Clerk do do, \$1000; Stipendiary Magistrate, Nanaimo, \$1700; Clerk do do, \$485; Stipendiary Magistrate, Sooke, \$1700; Clerk to do, \$485; Stipendiary Magistrate and Protector of Indians, Comox, \$1700; do do. Cowichan, \$1700. Contingencies—Occasional assistance to Sheriff, \$250. Total, \$26,600.

POLICE.—Superintendent, \$1940; Inspector, \$1200; 4 sergeants at \$2 per diem each, \$2920; 6 constables at \$1 75 per diem each, \$3285; 2 mounted constables at \$1 75 per diem each, \$1277 50; medical officer, \$250; armorer at \$1 50 per diem, \$547 50. Extra Constables, \$750; expenses of cleaning and repairing small arms, \$50; petty expenses, \$100. Total, \$16,152 50.

GAOLS.—Gaoler, \$1000; Superintendent of Convicts, \$800; Medical Officer, \$500; 3 Wardens at \$1 75 per diem, \$1926 25; 3 do at \$1 50 per diem, \$1642 50; Cook at \$1 50 per diem, \$547 50. Petty expenses, \$100. Total, \$6506 25.

VOLUNTEERS.—Adjutant, \$600; Drill Sergeant, 360; 70 men at \$10 per annum, 700; 20 do, at \$5 per annum additional, \$100. Drill Hall, Rifle Butts and general expenses, \$500; Accoutrements for 70 men at \$4 each, \$280. Total, \$2540.

RECAPITULATION OF ESTABLISHMENTS

	Fixed Establ'mts.	Provisional and Temporary	Allowances	Office Contingencies	Total
Governor	\$ 2180 00	\$	\$	\$	\$ 2180 00
Legislative Council	500 00			150 00	650 00
Legislative Assembly	2300 00			3850 00	6150 00
Colonial Secretary	2980 00			9950 00	12930 00
Treasurer	6535 00			1350 00	7885 00
Auditor	2940 00				2940 00
Surveyor General	7425 00	12199 00		12440 00	31984 00
Harbor Master	2250 00			400 00	2650 00
Lighthouses	4052 00		4300 00	750 00	6102 00
Post Office	6310 00			1350 00	7660 00
Registrar General	2425 00				2425 00
Judicial Establishment	26350 00			250 00	26600 00
Police Establishment	15252 50			900 00	16152 50
Gaol Establishment	6406 25			100 00	6506 25
Volunteers	1760 00			780 00	2540 00

TOTAL ESTABLISHMENTS.—Fixed, \$89,665 75; Provisional and Temporary, \$12,119; Allowances, \$1,300; Office Contingencies, \$32,270. Total, \$135,354 75.

PENSIONS.

Pensions provided for under 27 and 28, Vic., No. 3, to David Cameron, Chief Justice, 2425.

ADMINISTRATION OF JUSTICE.

Expenses of witnesses, \$500; criminal punishments, 500; interpreters and other expenses, 100; expenses of inquests (including fees to coroner,) 1000. Total, \$21,000.

CHARITABLE ALLOWANCES.

Miscellaneous charitable purposes, \$500.

EDUCATION (EXCLUSIVE OF ESTABLISHMENTS.)

District school, \$10,000.

HOSPITALS (EXCLUSIVE OF ESTABLISHMENTS.)

Contribution to Victoria Hospital, \$5000; do do, to meet excess of expenditure in 1864, 1000; do to Female Hospital Victoria, 500. Total, \$6500.

POLICE (EXCLUSIVE OF ESTABLISHMENTS.)

Clothing for constables, \$1425; fuel, water and light, 400; bedding, 125; purchase of three horses, 500; forage do do, 525; saddlery, stable implements, 150; shoeing horses, 100; arms and ammunition, 500. Total, \$3725.

GAOL (EXCLUSIVE OF ESTABLISHMENTS.)

Provision for 60 prisoners, \$4818, clothing do do, 300; fuel, water and light, 450; bedding and utensils, 350; tools and implements, 600; arms and ammunition, 50; clothing for warders, 455. Total, \$7023.

RENT.

Rent of residence for His Excellency the Governor, \$1920; rent of Harbor Master's office, Victoria, 330; rent of Post-office, Victoria, 330. Total, \$2580.

TRANSPORT.

Colonial Secretary—Travelling expenses of officers and others, \$1000; Surveyor General—Travelling expenses of officers and others, 350; Superintendent of Police—Travelling expenses of police on public duty, 750. Total, \$2000.

CONVEYANCE OF MAILS.

Between Vancouver Island and England, \$25,000; between Victoria and Esquimalt, 1371; do Nanaimo, and Comox, and intermediate places, 4080; do do Saanich, 300; do do, Sooke mines, 1000; do do New Westminster, British Columbia, 1000; do do Washington Territory, U S, 500. Total, \$33,251.

WORKS AND BUILDINGS.

Residence for His Excellency the Governor, — —; Police Stables, Victoria, \$250; Lock up, Saanich, 100; Painting of Government Buildings, Victoria, balance of contract under vote for 1864, 205; School House, Nanaimo, 800; Purchase of building at Nanaimo for Court House, Post Office, Lock-up and Police Quarters, 1500; Additions and alterations to do., 1500; Plastering, &c. of Race Rocks Lighthouse, 1000; Jetty at do., 1000; Painting, general repairs and fencing of Government Buildings, Victoria, 2500; Powder Magazine (renewal of vote for 1864 under 'Powder Magazine Act, 1860,' 3638. Total, \$12,493.

ROADS, STREETS, AND BRIDGES.

West Saanich Road Thompson's to Harris,—balance due under contract undertaken under partially unexpended vote for 1864—\$2800.

Road from Goldstream to Forks of Sooke and Leech River—contract completed in 1864 without vote—\$2000.

Cedar Hill road—balance of contract under partially unexpended vote for 1863—\$1750.

Burnside Road—to cover contract undertaken under unexpended vote for 1864—\$4000.

East Saanich Road—\$2000 to contract undertaken under unexpended vote for 1864; \$2000 for new work—\$4000.

Metchosin Road—branch to Goldstream—to cover contract undertaken under unexpended vote for 1864—\$3000.

Victoria, Ogden Point and Beacon Hill Road—do. do.—\$1500.

Road from Craigflower to Naval Hospital Esquimalt—do. do.—\$1000.

Road from Craigflower to Burnside Road—do. do.—\$500.

Road from Maple Bay to Somenos—contract entered into—\$1300.

Albert Head Road—to cover contract undertaken under unexpended vote for 1864—\$500.

Sooke Road Pedder Inlet to Sooke—for road under completed contract and for Bridges under partially unexpended vote for 1864—\$1000.

Extension of Government Street, Victoria, \$2000.

Metchosin Road—repairs—\$500.

Road from Goldstream to Forks of Leech and Sooke River, \$10,000.

Bridge over Leech River at Lower Forks, \$450.

Bridge over Millstone River, Newcastle, \$1000.

Repairs to Victoria and Esquimalt Road, \$500.

Comox (local) Road through settlement, \$1000.

West Saanich Road, Lake Hill to Stevens' \$10,000.

Road from Goldstream to Nanaimo, \$23,000.

General Repairs to Macadamized Roads, \$700.

James Bay Bridge Victoria (repairs), \$850

Total, \$73,350.

MISCELLANEOUS SERVICES.

Expense of revising List of Voters, \$400; Sheriff for expense of making copies of List of Voters, 150; Colonial Pay, &c. for Marines at Juan, 6500; Contribution to Victoria Fire Department, 4000; Insurance of Government Buildings, 1000; Premium for Discovery of Fisheries, 4000; Reward for Discovery of Gold-fields, 1500; Repayment of Deposits, 5000. Total, \$18,050.

INTEREST.

Interest on Road and Harbor Loan 1862, £40,000 at 6 per cent, \$11,640; Sinking Fund on do., \$7760. Total, \$19,400.

REIMBURSEMENTS.

Reimbursement of half of moiety of £12,943 19 9, advanced by the Imperial Government for the erection of Lighthouses in Fuca Straits and at Esquimalt Harbor, \$15,148 95; Reimbursements to Crown Revenues of moneys applied to general purposes, 34,066 20. Total, \$49,215 15.

IMMIGRATION.

Expenses of introducing Immigrants, \$10,000.

INDIANS.

Expenses connected with Indians, \$2,500.

SUMMARY of the foregoing Estimates showing the total charge to each Department, so far as the same can be apportioned:

CIVIL ESTABLISHMENT

	Total Am't Estimated for 1865.	Amount Expended in 1863.
Governor	\$ 4,100	\$
Legislative Council	650	621 18
Legislative Assembly	6,150	2,462 42
Colonial Secretary	13,930	10,409 55
Treasurer	7,885	6,850 10
Auditor	2,940	1,095
Surveyor General	32,234	3,405 82
Harbor Master	2,980	2,716
Lighthouses	6,102	7,436 01
Post Office	41,241	12,606 36
Registrar General	2,425	1,940 66
Judicial Establishment	28,700	14,009 93
Police Establishment	20,627 50	} 21,280 70
Gaols	13,529 25	
Volunteers	2,540	
Pensions, Retired Allowances & Gratuities	2,425	
Charitable Allowances	500	3,250
Education	10,000	3,855 17
Hospitals	6,500	7,775 11
Works and Buildings	12,493	50,697 18
Roads, Street, and Bridges	73,350	6,168 93
Miscellaneous	18,050	962 29
Interest	19,400	
Reimbursements	49,215 15	
Immigration	10,000	
Indians	2,500	
Total	\$390,466 90	157,532 41

COMPARATIVE Statement of the Estimated Revenue of Vancouver Island for the year 1863, and the Revenue received in that year, as shown by the accounts made up from 1st January to 31st December, 1863, being the year previous to that in which the estimates are prepared for 1865.

	Estimated Revenue.	Rev. Rec'd.	Ref.
Real Estate Tax	\$ 48,500	42,945 25	a
Port and Harbor Dues	19,400	17,284 66	b
Land Sales	24,250	23,759 39	
Land Revenue		395 84	c
Victoria Street Tax		12 85	d
Licenses, Liquor	19,400	23,833 94	e
Licenses, Trading	21,825	17,884 61	f
Stamps	2,425		g
Postage	2,037	2,258 45	
Fines, Forfeitures & Fees of Court	8,730	8,602 78	
Fees of Office	3,201	3,869 47	h
Reimbursement in Aid		1,790 50	i
Miscellaneous Receipts	1,455	2,305 25	j
Rent	485	1,261 25	k
Interest		2,740 16	l
Deposits		337 31	m
Total	\$151,708	\$149,281 71	

(Signed)

Audit Office of Vancouver Island, }
September 16th, 1864. }

ROBERT KERR,
Acting Colonial Auditor.

REMARKS.

a—Unexpected delays having occurred in the revision of the Real Estate Assessment Rolls, sufficient time had not elapsed previous to the close of the year to enable the whole amount of the taxes to be collected.

b—Caused by the abatement of entrance and clearance fees to the steamers carrying the mails between Vancouver Island and California.

c—Fees received on Recording Pre-emptor's claims.

d—Arrears of 1860-61.

e—A larger number of Licenses were granted to retail houses than was anticipated when the Estimates were made up.

f—Principally caused by arrears of taxes unpaid at the close of the year, and to the number of persons engaged in business not having increased as was expected.

g—This tax was not enforced—has since been repealed.

h—Increased demand for Registration of Titles to lands.

i—Repayment of expenses incurred by the Government for keep of Naval prisoners and for sums disbursed under the supervision of the Lands and Works Department for making certain roads and streets.

j—By gain on the sale of bills drawn upon the Crown Agents, on account of the £40,000 Loan negotiated in England.

k—A higher rent was obtained for the lease of certain Government Property.

l—Interest was received from the Government of British Columbia for sums advanced as a temporary loan—since repaid.

m—Deposits, etc., from the Supreme Court, awaiting Judge's orders.

COMPARATIVE Statement of the estimated Expenditure of Vancouver Island for the year 1863, and the actual expenditure of the year as taken from the Accounts made up from 1st January, to 31st December, 1863, being the year previous to that in which the Estimates are prepared for 1865:

CIVIL ESTABLISHMENTS.

	Estimated Expenditure 1863.	Actual Expend'tre 1863.	Ref.
The Governor	\$ 3,880		a
Colonial Secretary	4,245	3,035 25	b
Treasurer	3,625	3,537 85	c
Auditor	1,095	1,095	
Surveyor General	4,640	3,405 82	d
Registrar General	1,940	1,940 66	e
Assessor	2,425	2,425	
Harbor Master	2,450	2,386	
Post Office	1,300	1,380 01	f

JUDICIAL ESTABLISHMENTS.

	Estimated Expenditure 1863.	Actual Expnd't're 1863.	Ref.
Chief Justice	6,380	5,293 63	g
Attorney General	2,455	2,458 45	h
Sheriff	1,220	1,006	i
Education Establishment	3,000	2,805 17	j
Police Establishment	13,344	12,796 41	k
Magistrate, Nanaimo	1,200	1,321 25	l
Legislative Council	500	621 18	m
Legislative Assembly	1,250	2,462 42	n
Office Contingencies	6,880	7,373 30	o
Revenue Services, exclusive of Establishments	1,500	887 25	p
Administration of Justice, do	2,378	3,833 60	q
Charitable Allowances	3,250	3,250	
Education	2,000	1,050	
Police and Gaols	7,918	8,484 29	r
Rent	660	757	s
Conveyance of Mails	7,290	10,896 35	t
Works and Buildings	95,964	7,775 11	u
Roads, Streets and Bridges	47,530	50,697 18	v
Miscellaneous Services	20,630	5,687 27	w
Interest	14,605	952 29	x
Sinking Fund	7,217		y
Drawbacks, and Refund of Taxes		233 83	z
Light Houses	2,910	7,436 01	1
Deposits		247 83	2
Total.....	\$275,680	\$157,532 41	

(Signed)

ROBERT KER,
Acting Colonial Secretary.Audit Office of Vancouver Island, }
September 16th, 1864 }

REMARKS.

- (a) The late Governor Sir James Douglas did not draw salary during this year.
- (b) Half salary was only paid to the Acting Colonial Secretary.
- (c) A vacancy occurred in the Treasury for a short time.
- (d) The Surveyor General drew full salary at the rate of £500 per annum up to 31st August, 1863. Mr. Pearce has drawn half salary as Acting Surveyor General from 4th October to 31st December, 1863, under the late Governor's authority. The vote for a magazine keeper was unexpended, no magazine having been built.
- (e) 66 cents overpaid has since been refunded.
- (f) Extra assistance, over the sum voted, was required for the delivery, &c., of letters upon the arrival and departure of the mails.
- (g) The Registrarship of the Supreme Court was vacant for some time, and one month's salary due to the Clerk of Writs undrawn in 1863.
- (h) \$11 34 was overpaid to the Attorney General for the month of October, and was refunded to the Treasury on December 31st, and carried to Miscellaneous Receipts.
- (i) The total sum voted for occasional assistance was not required.
- (j) Nanaimo District did not expend the whole amount voted.
- (k) \$162 33 arrears of salary was due to Mr. Pemberton at the close of the year, has since been paid in 1864. This leaves a sum still unexpended, which was not required.
- (l) \$121 25 arrears of salary for 1862.
- (m) \$121 18 ditto.

(n) \$1212 50 arrears of salary paid to clerk in 1860 and 1861, not brought to account previously.

(o) This excess was principally caused by the accounts of the House of Assembly for the years 1860 and 1861, not having been passed through the Treasury before.

(p) No expenditure was incurred for raising revenue by Stamps.

(g) A sum of \$1809 19 was paid for the arrest and conviction of Indians who had murdered several people at the outlying settlements.

(r) This increase was chiefly for medical attendance, &c., to the Police Departments.

(s) Overpayment caused for rent of Court Room and Gaol, Nanaimo.

(t) A sum of \$4105 was paid over and above the amount of \$5000 voted for the Conveyance of Mails to and from San Francisco.

(u) A sum of \$87,300 was voted for the Improvement of Victoria Harbor, the greater part of which was payable in England.

(v) \$921 fell due in 1863 on a contract finished in 1862 for Victoria Streets; also \$1317 56 was spent on various roads, &c., which was afterwards repaid to the Government, vide Remark upon Revenue, "Reimbursements in Aid," and further sums than voted were required to complete certain portions of the Saanich and Cadboro Bay Roads.

(w) The following sums were not expended:—\$9700 for Indian Claims at Cowichan.

\$1000 for formation of a Library for the House of Assembly.

\$947 84 for expenses of Small Pox Hospital.

\$1680 88 in Aid of Immigration.

\$954 06 on account of Surveys and Explorations.

\$495 75 for Indian Services, and

\$339 50 was paid for the passages of certain adults afterwards repaid into the Treasury.

(x) The Debentures issued under the Temporary Loan Act were redeemed earlier than anticipated, a less amount of interest had accordingly to be paid. A sum of \$11,640 was remitted to the Crown Agents, for payment of interest due on the Vancouver Island Road and Harbor Loan, and charged to them as advances.

(y) The sum of \$7217 was remitted to the Crown Agents to meet this, and charged to them as advances.

(z) Taxes, &c., over assessed, and paid into the Treasury were afterwards refunded.

(1) The half of this amount due by the Colony of British Columbia, has been paid in 1864.

(2) Deposits, etc., repaid by Judge's order.

NOTE.—Sums in all amounting to £11,332 or \$54,960 20 were remitted to the Crown Agents in London during the year 1863, for services classed in the Estimates as follows:—

Works and buildings,	\$87,300.
Interest,	11,640.
Sinking fund,	7,217.

The column of actual expenditures does not include payments made by the agents from the above-mentioned remittances, the agents' account showing the appropriation of the same not having been received in the colony previous to the close of the year.

CROWN LANDS.

STATEMENT showing the actual Balance of Crown Revenue on 31st December, 1863; the Estimated Receipts for 1864; the Estimated Expenditure for 1864; Amount of Refund from Colonial to Crown Revenue to 31st December, 1864; Total Balance Crown Revenue on 31st December, 1864.

1. Balance of Crown Revenues 31st December, 1863, \$34321 65.

2. Estimate of Crown Revenues for 1864—Arrears of Land Sales, \$9872; Land Sales for 1864, 9171; Land Revenue, 200; Mining Licenses, less expenses, 3000; Rents, 1260; Fees of Court, less expenses, 3910; Total, \$27413.

3. Refund for account of Salaries not charged against the General Revenue in terms of the Resolutions date the 2d July, 1864, \$10670.

4. Estimate of Expenditure for the year 1864—Salaries authorized to be paid out of Crown Revenues in terms of dispatch No. 2 of 30th April, 1864, namely—His Excellency the Governor, \$11147 18; Colonial Secretary, 2910; Total, \$14057 18.

5. Arrears of salary to Sir James Douglas for the years 1861, 1862, and 1863, \$12,946 61; Salary to Sir James Douglas for January and February, 1864, \$646 66; Total, \$13611 27.

6. Salaries struck from the Estimates for the current year but afterwards provided for in the Resolution of 2d July, 1864, viz.:—Chief Justice, \$3880; Attorney General, 1455; Treasurer, 2910; Surveyor General, 2425; Total, \$10670.

7. Probable balance on 31st Dec., 1864, \$34066 20.

Total Estimate of Expenditure for 1864, \$72,404 65.

COLONIAL ESTIMATES AND ACCOUNTS OF THE COLONY OF VANCOUVER ISLAND,

1866²

A

ABSTRACT of the Probable Revenue of the Colonial Government of Vancouver Island for the year 1866, showing also the Revenue received under the similar heads in the year 1864, being the year previous to that in which the Estimates are prepared.

Hheads of Receipt	Estimate for 1866.	Revenue of 1864.
Real Estate Tax	\$50,000 00	\$47,469 99
Salary Tax	2,500 00	
Port and Harbor Dues	35,300 00	16,425 80
Land Sales		15,528 45
Land Revenue		565 00
Rent		1,140 00
Mining Licenses		4,030 20
Liquor Licenses	28,091 00	28,608 69
Trading Licenses	38,000 00	23,770 55
Postage	4,400 00	3,510 00
Fines, Forfeitures & Fees of Court	15,000 00	9,010 23
Fees of Office	3,500 00	4 645 82
Sales of Government Property	300 00	341 05
Reimbursements	28,285 00	5,423 75
Miscellaneous	1,000 00	5,897 69
Interest		4,732 80
	206,376 00	171,099 72
Balance in Treasury on 1st January, 1864		23,525 68
Balance in Treasury on 31st December, 1865		
	\$206,376 00	194,625 40

WILLIAM A. G. YOUNG,
Colonial Secretary.

REVENUE DETAILED.

	Estimate for 1866.	Revenue of 1864.
	\$ c.	\$ c.
Real Estate Tax	50,000 00	47,469 99
Salary Tax	2,500 00	
PORT AND HARBOUR DUES.		
	\$ c.	
Port entrances	3,060 00	
Port Clearances	3,060 00	
Coasting Licenses	1,900 00	
Permits	27,000 00	
Records, &c.	300 00	
	35,300 00	16,425 80

² *British Colonist*, 23 December 1865.

Land Sales		15,528 45	
Land Revenue		565 00	
Rent		1,140 00	
Mining Licenses		4,030 20	
LIQUOR LICENSES.			
City Retail	\$24,153 00		
Country Retail	1,513 00		
Wholesale	2,425 00		
		28,091 00	28,608 69
TRADING LICENSES.			
Annual	\$10,000 00		
Half Yearly	20,000 00		
Auction Duty	8,000 00		
		38,000 00	23,770 25
POSTAGE.			
Letters	\$3,600 00		
Rent of Boxes	800 00		
		4,400 00	3,510 00
FINES, FORFEITURES & FEES OF COURT.			
Supreme Court	\$10,000 00		
Magistrates do.	4,000 00		
Bankruptcy do.	1,000 00		
		15,000 00	9,010 23
		\$173,291 00	150,058 61
FEES OF OFFICE.			
Registration of Joint Stock Co's.	\$200 00		
Do. of Titles	3,300 00		
		3,500 00	4,645 82
Sale of Government Property		300 00	341 05
REIMBURSEMENTS.			
Towing Vessels	\$3,800 00		
From British Columbia—			
Moiety of Lighthouse expenditure	3,040 00		
Do. do. for 1864 and 1865	6,320 00		
Do. moiety due of expenses for carrying mails between San Francisco and Vancouver Island since 1863.	15,125 00		
		28,285 00	5,423 75
Miscellaneous		1,000 00	5,897 69
Interest			4,732 80
		\$206,376 00	171,099 72

B

ABSTRACT of the Sums required to defray the expenses of the Colonial Government of Vancouver Island for the year from 1st January to 31st December, 1866; showing also the amount actually expended in the year previous to that in which the Estimates are prepared, viz., 1864.

	Estimate for the year 1866.	Expenditure of 1864.
Salaries Establishments	\$93,375 17	\$57,647 02
Pensions	2,425 00	
Revenue Services		1,633 63
Legislative Assembly	1,600 00	
Colonial Secretary	5,200 00	
Assessor	1,500 00	
Surveyor General	6,225 00	
Harbor Master	1,750 00	
Postmaster	500 00	
Administration of Justice	3,450 00	3,374 34
Education	4,580 00	4,993 76
Charitable Allowances	500 00	5,050 00
Hospitals	2,250 00	
Police	2,300 00	
Gaols	8,248 00	7,773 70
Rent	1,441 90	1,796 64
Transport	1,500 00	136 50
Conveyance of Mails	17,200 00	6,483 30
Works and Buildings	3,350 00	88,703 32
Roads, Streets and Bridges	4,950 00	51,321 89
Lighthouses	2,600 00	6 445 44
Miscellaneous Services	3,550 00	20,006 79
Interest Sinking Fund	21,400 00	28,455 51
Drawbacks and Refunds	2,000 00	754 49
Immigration	1,000 00	
Indians	1,000 00	
Total	\$193,895 07	\$284,576 32

WILLIAM A. G. YOUNG,
Colonial Secretary.

ESTABLISHMENTS DETAILED.

CIVIL.

HIS EXCELLENCY THE GOVERNOR—Governor (provided out of Crown Revenues); Private Secretary, \$1700; Messenger, 500; total, \$2200.

LEGISLATIVE COUNCIL—Clerk, \$500; Fuel, Light and Petty Expenses, 150; Total, \$650.

LEGISLATIVE ASSEMBLY—Clerk, \$1700; Messenger, 600; Fuel, Light and Petty Expenses, 250; Total, \$2550.

COLONIAL SECRETARY—Colonial Secretary (provided out of Crown Revenues); Chief Clerk, \$1500; Second Clerk, 1000; Messenger, 500; Petty Expenses, 250; Total, \$3250.

TREASURER—Treasurer, \$2910; Clerk, 1200; Assessor, 2425; Advertising and Petty Expenses, 300; Total, \$6835.

AUDITOR—Auditing Accounts, \$1200.

SURVEYOR GENERAL—Surveyor General, \$2425; Assistant Surveyor, or Superintendent of Roads (pro. and tem.), 1500; Clerk, 1200; Master of Tug, 1200; Engineer ditto, 1091 25; Engineer of Dredger, 1091 25; two Stokers at \$60 per month each, 1440; three Crew at 45 per month each, 1620; Petty Expenses, 250. Total, \$11,817 50.

HARBOR MASTER—Harbor Master, Shipping Master, and officer to carry out Passengers' and Merchants' Shipping Acts, (amalgamated) without fees, \$1400; Boatmen, 500. Total, \$1900.

POST OFFICE—Victoria—Postmaster, 500; Clerk, 1455; Nanaimo—Postmaster, 500; Mail Bags and Petty Expenses, 150. Total, \$2605.

REGISTRAR GENERAL—Registrar General, \$2425; Petty Expenses, 100; Total, \$2525.

LIGHTHOUSES—Commissioner and Secretary, \$500; Medical Officer, 60; Lightkeeper, Race Rocks, 750; three Assistants, 510 88, 400, 200 04—1,118 92; Light-keeper, Fisgard, 750; Assistant do. do., 100; Petty Expenses, 200. Total, \$3,478 92.

JUDICIAL

Chief Justice of Supreme Court, \$5820; Clerk to do, 1000; Registrar of Supreme Court, 1500 (pro. and tem.) 1000; Clerk of Writs do, 1000; Messenger, 600; Attorney General (ex. of fees) 1455; Clerk to do., 1000; Sheriff 1000; Stipendiary Magistrate Victoria, 2250; Clerk to do., 1000; Stipendiary Magistrate, Nanaimo, 1700; Clerk to do., 500; Stipendiary Magistrate, Sooke, \$1700; Petty Expenses, 300. Total, \$21,825.

POLICE

Superintendent, \$1757 50; Inspector, 1200; Four serjeants, at \$2 per diem each, 2920; Six Constables, at \$1 75 do., 3832 50; Six do., at \$1 50 do., 3285; Medical Officer, 250; Armorer, at \$1 50 per diem 547 50; Petty Expenses, 200; Total, \$13,992 50.

GAOLS

Gaoler, \$1000; Superintendent of Convicts, 800; Medical Officer, 500; three Wardens, at 1 75 per diem each, 1916 25; three do., at 1 50 do., 1642 50; Cook, at 1 50 per diem, 547 50; Petty Expenses, 200. Total, 6,606 25.

EDUCATION

Superintendent, \$1500; Teacher Victoria School, 1200; Assistant do. do., 720; Female Teacher do., 720; Teacher Victoria District do., 1200; Teacher Craigflower do., 1000; Teacher Nanaimo do., 1000; Female Teacher do., 600; Teacher Esquimalt, 500; Teacher Cedar Hill, 500; Teacher Lake, 500; Teacher Saanich, 500; Teacher Cowichan, 506. Total, \$10,440.

VOLUNTEER

Drill Instruction, &c., \$1000; Petty Expenses, Targets, &c., 500. Total, \$1500.

No. 2—Pensions, Allowances and Gratuities—Pension provided for under 27 and 28 Vict. No. 3, to David Camerican, Chief Justice, \$2 425.

No. 3—Colonial Secretary—Stationery for Public Offices, \$1000; Furniture, 200 00; Fuel and Light, 1000 00; Printing Acts of Legislature, 3000 00; Total, \$5200.

No. 4—Assessor—Expenses attending Revision and Collection of Real Estate, Trade Licenses and other Taxes, Printing and Distributing Forms, Notices, etc., \$1500.

No. 5—Surveyor General—Difference between Salary received by Acting Surveyor General for the year 1865 and Salary of the Office, \$725; Miscellaneous Explorations and Surveys, 2500 00; Fuel and Stores for Steam Tug, 2500 00; Stores for keeping the machinery of the Dredger in order, 500 00; Total, \$6225.

No. 6—Harbor Master—For repairing and placing Buoys in Victoria and Nanaimo Harbors, Painting, etc. \$1000; Occasional Boatmen at Nanaimo, 250; Occasional Assistance in Collection of Dues and preventing infraction of Revenue Laws, 500; Total, \$1750.

No. 7—Postmaster—Occasional assistance to expedite delivery of letters, \$500.

No. 8—Revenue Services (exclusive of Establishments)—Nil.

No. 9—Administration of Justice (exclusive of Establishments)—Expenses of Witnesses, \$500; Criminal Punishments, 500; Interpreters and other Expenses, 200; Expenses of Inquests (including Fees to Coroner, 1000; Contingent Expenses of unpaid Magistrates, 500; Reimbursements to Chief Justice for passage expenses from England, 750; Total, \$3450.

No. 10—Ecclesiastical (exclusive of Establishments)—Nil.

No. 11—Education (exclusive of Establishments)—School House, Nanaimo, \$2000; Repairs and additions to buildings, 500; Books, petty expenses, etc., 1000; Rent of School Houses, 1080; Total Education, \$4580.

No. 12—Hospitals (exclusive of Establishments)—Contribution to Victoria Hospital, \$2000; Do. to Female Hospital Victoria, 250; Total, \$2250.

No. 13—Police (exclusive of Establishments)—Clothing for Constables, \$1200; Fuel, Water and Light, 500; Bedding, 50; Arms and Ammunition, 50; For occasional necessary employment of Special Constables in outlying districts, 500; Total Police, \$2300.

No. 14—Gaols (exclusive of Establishments)—Provisions for 60 Prisoners, \$4818; Clothing for ditto, 1200; Fuel, Water and Light, 1000; Bedding and Utensils, 250; Tools and Implements, 500; Arms and Ammunition, 25; Clothing for Warders, 455; Total, \$8,248.

No. 15—Rent—Ground Rent of Government House, \$81 90; Rent of Harbor Master's Office, Victoria, 330; Rent of Post Office, Victoria, 330; Gaol, Nanaimo, 100; Lock-up, Esquimalt, 100; Quarters for Policemen in outlying districts, 500; Total Rent, \$1441 90.

No. 16—Transport—Travelling Expenses of Officers, Police and others, on duty, \$1000; Conveyance of Prisoners from outlying districts to Victoria Gaol, 500; Total Transport, \$1500.

No. 17—Conveyance of Mails—Between Vancouver Island and San Francisco, \$9000; between Victoria and Esquimalt, 400; between Victoria and Nanaimo, Comox and intermediate places, 5000; between Victoria and Saanich, 300; between Victoria and Sooke Mines, 1000; between Victoria and New Westminster, British Columbia, 1000; between Victoria and Washington Territory, United States, 500; Total conveyance of Mails, \$17,200.

No. 18—Works and Buildings—General Repairs to Buildings, \$1000; Fencing round Government Square, 750; Tower at Race Rocks Light House for Fog Bell, 600; Fireproof Vault in Treasury, 800; Finishing the Court House at Leach River, 200; Total, \$3350.

No. 19—Roads, Streets, and Bridges—Repairs of existing Roads, \$1000; James Bay, new piling and repairs unexpended in 1865, 850; Comox Road through Settlement and Bridge at Green's Landing, 1500; Kokesailah Bridge, Cowichan, Maple Bay Road to Wharf, 500; Total, \$4950.

No. 20—LIGHTHOUSES—Provisions and Fuel, \$1600; Stores, 1000; Total, \$2600.

No. 21—MISCELLANEOUS SERVICES—Revising List of Voters, \$400; Sheriff for expense of making List of Voters, 150; Contributions to Victoria Fire Department, 1500; Insurance of Government Buildings and Property, 1000; Contribution to Agricultural Society, 500; Total, \$3550.

No. 22—INTEREST AND SINKING FUND—Interest on Road and Harbor Loan, 1862, £40,000 at 6 per cent, \$11 640; Interest on Temporary Loans, 2000; Sinking Fund on Loan, 7760; Total, \$21,400.

No. 23—DRAWBACKS AND REFUNDS—Drawbacks, \$1500; Refunds, 500; Total, \$2000.

No. 24—IMMIGRATION—For general purposes of Immigration, \$1000.

No. 25—INDIANS—Expenses connected with Indians, \$1000.

RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

SALARIES—FIXED ESTABLISHMENTS.

Civil Establishments—The Governor, \$2,200.

Legislative Council, \$500; contingencies, 150; total, \$650.

Legislative Assembly, \$2300; contingencies, 250; total, \$2550.

Colonial Secretary, \$3000; contingencies, 250; total, \$3250.

Treasurer, \$6535; contingencies, 300; total, \$6835.

Auditor, \$1200.

Surveyor General, \$10,067 50; provisional and temporary, 1500; contingencies, 250; total, \$11,817 50.

Harbor Master, \$1900.

Postmaster, \$2455; contingencies, 150; total, \$2605.

Registrar General of Deeds, \$2425; contingencies, 100; total, \$2525.

Lighthouses, \$3278 92; contingencies, 200; total, \$3478 92.

Judicial Establishments, \$19 525; provisional and temporary, 2000; contingencies, 300; total, \$21,825.

Police Establishment, \$13,792 50; contingencies, 200; total, \$13,992 50.

Gaol Establishment, \$6406 25; contingencies, 200; total, \$6606 25.

Education, \$10,440.

Volunteer Companies, \$1000; contingencies, 500; total, \$1500.

Total Establishments—Fixed, \$87,025 17; provisional and temporary, \$3500; contingencies, \$2850; grand total, \$93,375 17.

RECAPITULATION—EXCLUSIVE OF ESTABLISHMENTS.

Pensions	\$2,425 00
Legislative Assembly	1,600 00
Colonial Secretary	5,200 00
Assessor	1,500 00
Surveyor General	6,225 00
Harbor Master	1,750 00
Postmaster	500 00
Administration of Justice	3,450 00
Education	4,580 00
Charitable Allowances	500 00
Hospitals	2,250 00
Police	2,300 00
Gaols	8,248 00
Rent	1,441 90
Transport	1,500 00
Conveyance of Mails	17,200 00
Works and Buildings	3,350 00
Roads, Streets, and Bridges	4,950 00
Lighthouses	2,600 00
Miscellaneous Services	3,550 00
Interest on Sinking Fund	21,400 00
Drawbacks and Refunds	2,000 00
Immigration	1,000 00
Indians	1,000 00
Total	\$100,519 90

Comparative Statement of the Estimated Revenue of Vancouver Island for the year 1864, and the Revenue received in that year, as shown by the accounts made up from 1st January to 31st December, 1864.

	Estimated Revenue	Revenue received	Ref.
Real Estate Tax	\$65,300 00	\$47,469 99	a
Port and Harbour Dues	17,000 00	16,425 80	
Land Sales			
Land Revenue			
Rents			
Mining Licenses			b
Mining Rect's. Gen.			
Liquor Licenses	24,000 00	28,608 69	c
Trade Licenses	27,580 00	23,770 25	d
Postage	3,500 00	3,510 00	
Fines, Forfeitures, and Fees of Court	9,000 00	9,010 23	
Fees of Office	4,000 00	4,645 82	e
Sale of Government Property		341 05	f
Reimbursements in aid of expenses incurred by Government	1,000 00	1,039 11	
Miscellaneous Receipts	200 00	5,897 69	g
Interest		4,732 80	h
Light Houses	7,884 63	4,384 64	
Arrears of Revenue	25,000 00		i
	\$184,464 63	\$149,836 07	

(Signed) HENRY WAKEFORD,
Auditor.

REMARKS.

- a—A large amount of arrears unpaid.
 b—The receipts under these heads have been carried to the account of the Crown Fund.
 c—This increase is caused principally by collection of arrears of Revenue, 1863.
 d—The returns of transactions on which this item was based, owing to the general depression in trade, fell short of what was anticipated.
 e—Fees collected under the Joint Stock Companies' Act assisted this return favorably.
 f—Unserviceable Stores, Tools, &c., disposed of.
 g—Principally caused by the premium upon the £40,000 Loan being brought to account this year and from the refund of an overpayment to the late Surveyor General \$596 47 on account of salary.
 h—Derived from the temporary Loan to the Colony of British Columbia early in the year, and a portion of the £40,000 Loan deposited at interest in London.
 i—The arrears are classed under their proper heads of Service in the columns of Revenue received.

ABSTRACT OF TREASURER'S ACCOUNT TO
 15th DECEMBER, 1865.

THE TREASURER, DR.

To balance from 31st December, 1864	\$9,083 60
To amount of Revenue received to 15th December, 1865	192,444 52
To amount of Temporary Deposits	1,443 59
To amount of Victoria City Tax	18,856 93
To amount of Advances to Heads of Departments accounted for	7,925 00
To Crown Agents, London	31,893 16
To amount of Crown Revenue received to 8th March, 1865, transferred	5,325 53
To balance of Current Account overdrawn at the Bank of British North America, 15th December	\$52,465 97
Deduct balance in Treasury 15th December, 1865	989 86
Balance, being the excess of Expenditure on the 15th December, 1865	51,476 11

\$318,448 44

THE TREASURER, CR.

By actual Expenditure to 15th December, 1865	\$270,526 49
By Temporary Deposits repaid	1,334 22
By Advances to Victoria City	10,243 25
By Advances to Heads of Departments to be accounted for	11,057 00
By Crown Agents, London	21,286 23
By amount of Crown Expenditure to 8th March, 1865, transferred	4,001 25

\$318,448 44

(Signed) ALEXANDER WATSON,
 Colonial Treasurer.

15th December, 1865.

Comparative Statement of the Estimated Expenditure of Vancouver Island for the year 1864 and the actual Expenditure of the year as taken from the Accounts made up from 1st January to 31st December, 1864:

	Estimated Expenditure 1864.	Actual Expenditure 1864.	
	\$ c.	\$ c.	
CIVIL ESTABLISHMENTS.			
The Governor		1,605 86	a
Legislative Council	600 00	624 78	
Legislative Assembly	3,450 00	3,726 37	
Colonial Secretary	2,980 00	4,039 40	b
Treasurer	1,920 00	4,098 68	c
Auditor	1,175 00	1,023 49	
Surveyor General	2,780 00	5,868 95	c
Registrar General	2,675 00	2,441 26	
Assessor	2,831 00	2,374 64	
Postmaster	1,825 00	1,633 93	
Harbormaster	2,700 00	2,411 92	
JUDICIAL ESTABLISHMENTS.			
Supreme Court	2,750 00	6,029 89	c
Attorney General	1,250 00	2,453 03	c
Sheriff	1,350 00	1,046 62	
Stipendiary Magistrate, &c., Nanaimo	2,250 00	2,189 34	
Stipendiary Magistrate, &c., Sooke		749 34	d
Police and Gaols Establishments	16,450 00	15,329 02	
Total Establishments	46,986 00	57,647 02	
Pensions, Retired Allowances and Gratuities	2,426 00		
Revenue Services, exclusive of Establishments	1,600 00	1,633 63	
Administration of Justice ditto	3,606 00	3,374 34	
Charitable Allowances	5,250 00	5,050 00	
Education	10,000 00	4,993 76	
Police and Gaols exclusive of Establishments	9,487 00	7,773 70	
Rent	760 00	1,796 64	e
Transport		136 50	f
Conveyance of Mails	13,800 00	6,483 30	
Works and Buildings	75,078 00	88,703 32	
Roads, Streets & Bridges	65,200 00	51,321 89	
Miscellaneous Services	24,612 50	20,006 79	
Interest paid	11,640 00	16,630 83	g
Sinking Fund	7,760 00	11,824 68	g
Light Houses	7,000 00	6,445 44	
Drawbacks and Refunds	500 00	754 49	
Total	\$285,704 00	284,576 33	

(Signed) HENRY WAKEFORD,
Auditor.

a. For salary of private Secretary and office contingencies.

b. The excess of expenditure under this head arose chiefly from the charges for stationery being made against this instead of various departments.

c. The expenditure beyond the votes in these departments was caused principally by the salaries of the Treasurer, the Surveyor General, the Chief Justice, and the Attorney General having been paid under the resolution of the Legislative Assembly, dated 2d July, 1864.

d. This charge was incurred to defray the expense of providing a stipendiary magistrate at Sooke on the discovery of a gold field in that district.

e. The expenditure under this head was increased by the rent of the residence of His Excellency the Governor.

f. Travelling expenses of public officers.

g. The excess of expenditure over the votes under these heads is accounted for by interest and sinking fund of loan, paid and invested by the Crown Agents in 1863, not having been brought to account in the Treasurer's books until 1864.

Comparative Statement of the Estimated Revenue of Vancouver Island for the year 1865, and the Revenue actually received from 1st January to 15 December, 1865.

	Estimated Revenue for 1865.	Actual Receipts to Dec. 15, 1865.
Real Estate Tax	\$110,000 00	\$67,333 57
Port and Harbor Dues	17,000 00	26,109 87
Land Sales		
Land Revenue		
Liquor Licenses	20,800 00	28,243 76
Trade Licenses	34,000 00	34,311 81
Postage	6,700 00	6,715 44
Fines, Forfeitures and Fees of Court	9,000 00	9,272 53
Fees of Office	4,000 00	3,492 38
Reimbursements	9,208 77	14,500 10
Miscellaneous	1,000 00	179 14
Rent .. .		
Interest	600 00	1,286 23
Salary Tax		999 69
Colonial Revenue	\$212,308 77	\$192,444 52

(Signed) ALEX WATSON,
Colonial Treasurer.

15th December, 1865.

Comparative Statement of the Estimated Expenditure of Vancouver Island for the year 1865, and the actual Expenditure from 1st January to 15th December, 1865.

Heads of Expenditure.	Estimated Expenditure for 1865.	Actual Expenditure to Dec. 15, 1865.
Establishments	\$114,332 25	\$98,589 37
Pensions	2,425 00	332 45
Revenue Services		
Administration of Justice	2,100 00	2,363 33
Ecclesiastical		
Charitable Allowances	500 00	384 00
Education	10,000 00	5,897 40
Hospitals	6,500 00	3,250 00
Police	1,725 00	1,865 97
Gaols	7,023 00	6,720 62
Rent	2,580 00	2,418 11
Transport	1,250 00	1,819 13
Conveyance of Mails	16,230 00	17,629 57
Works and Buildings	57,443 00	62,359 71
Roads, Streets and Bridges	51,000 00	20,445 92
Miscellaneous	17,650 00	19,968 37
Interest	19,400 00	22,963 09
Drawbacks and Refunds		1,603 36
Immigration	2,500 00	500 00
Indians	1,000 00	1,416 09
Colonial Expenditure	\$313,558 25	\$270,526 49

(Signed) ALEXANDER WATSON,
Colonial Treasurer.

15th December, 1865.

APPENDIX B

**Progress of Bills
Brought Into the House of Assembly of Vancouver Island
1863-1866**

1864		February 2	February 18	February 18, 23	February 26	July 7	Passed by Council, May 20.
Banking Act.	Hon. Mr. Young February 1	February 24	March 3	March 3, 7, 8, 11, 24, 25, 30, April 1, re-committed April 4, 6, 8, 11, 15	April 19		
Victoria Incorporation Amendment	Hon. Mr. Young February 24						
First Telegraph Act	Hon. Mr. De Cosmos February 29	March 4	March 9	February 29	March 10	March 12	Passed by Council, March 12.
Supply (\$257,279.50)	Committee of Supply February 24	February 29	March 1	March 4, 8, 9, 10	March 3	Do.	Passed by Council, March 10.
Chief Justice's Pension Act	Committee of Supply March 2	March 2	March 3	March 1, 2	March 7	March 11	Passed by Council, March 10.
Introduction of Water In- to Victoria	Hon. Mr. Powell March 8	March 14		March 8			Referred to Committee on Standing Orders, March 8; rejected, April 15.
Reincorporation of Victoria Telegraph Regulation Act.	Hon. Mr. Trimble March 10	March 16					Withdrawn by Hon. Mr. Trimble, March 23.
Supplemental Supply (\$26,000)	Hon. Mr. Young March 10	March 18	March 18	March 18, 21	March 24	July 7	Passed by Council, June 15.
Liquor Licence Amend- ment	Committee of Ways and Means March 18	March 18	March 21	March 21, 22	Do.	Do.	Passed by Council, April 6.
Congregation of Emanuel of Victoria Incorpora- tion Act	Hon. Mr. Powell April 25	May 9	May 20	June 1, April 25, May 20	June 2	July 7	Passed by Council, June 16.
Common Schools	Committee on Education May 3	May 9	May 10	May 9, 10, 12			
Harewood Railway Com- pany Act	Hon. Mr. De Cosmos May 3	May 9	May 20	May 20, June 1	June 2	Do.	Referred to Committee on Private Bills, May 3. Passed by Council, June 16.
Enclosure of Wells	Hon. Mr. Young May 10	May 12	May 13	May 13	May 17	Do.	Passed by Council, May 30.
Supplemental Supply (\$19,804.28)	Committee of Supply May 10	Do.	Do.	Do.	Do.	Do.	Passed by Council, May 23.
Victoria City Half Per Cent Tax Act	Committee of the Whole May 17	May 18	May 19	May 19	May 20	Do.	Passed by Council, June 7.
Governor's Victoria City Aid Act	Do.	Do.	Do.	Do.	Do.	June 8	Passed by Council, June 1.
Supplemental Supply Act (No. 4)	Hon. Mr. Tolmie June 1	June 1	June 2	June 2	June 2	July 7	Conference with Council, June 14; passed by Council, June 16.

PROGRESS OF BILLS BROUGHT INTO THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND,
SECOND SESSION, 1864-65

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING	ASSENT	REMARKS
1864							
Legal Profession Act	Hon. Mr. De Cosmos September 12	September 12	September 13	September 13, 26, 27, 28	October 3	January 30	Council amendments accepted by House, November 30; passed by Council, Jan- uary 9.
Recovery of Small Debts	Hon. Mr. Dennes September 14, October 10						Leave to introduce bill originally denied because it was a money bill; referred to committee and leave given to reintroduce it, October 10.
Victoria Incorporation Amendment	Hon. Mr. De Cosmos September 22	November 24	December 6	December 6; March 1, 3, 6, 8, 13, 22, 27, 29; April 3, 7; October 27; November 2,			Rejected on third reading, April 24.
Land Registry Amendment Act	Hon. Mr. Franklin October 12	October 27	November 2	October 27; November 2, October 14, 17	November 28	April 8	Amended by Council, February 15; further amended by House, March 8; amend- ments accepted by Council, March 13.
Chief Justice's Salary Act	Committee of the Whole October 12	October 13	October 14		October 18		Passed by Council, November 2; assent reserved, December 5.
Practise of Medicine	Hon. Mr. Street October 13					November 5	Reintroduced by Hon. Mr. Franklin, Oc- tober 20 following resignation of Hon. Mr. Street. Passed by Council October 31.
Provisional Act for Election of Mayor and Councillors	Hon. Mr. Powell October 17	October 21	October 26	October 26, 27	October 27		
Office of Coroner	House of Assembly October 20	November 7	November 10	November 10, 22, 23, 24	November 25		
Practise of Medicine	Hon. Mr. Franklin October 20	November 15	November 21	November 10, 25, 28	December 12		
Interior Court Jurisdiction	Hon. Mr. Dennes October 20	November 18	November 28	December 5, 7 November 28; December 2	December 5		Amended by Council, May 22; conference with Council, June 7.
Foreign Actions Limitation	Hon. Mr. Franklin November 16	December 2	January 6	December 2, November 16, 18, 21	January 10		Blocked in Council, after first reading, Jan- uary 9.
Common School Act	October 25	November 30	January 6	January 6, 10, 11, 12, 17, 18, 19	January 20; May 5	May 15	Amended by Council, March 17; conference with Council, June 7.
Statistical Information	Hon. Mr. De Cosmos November 30	December 2	December 16	December 16; January 4	January 6		Amended by Council, March 21; counter amendments accepted by Council, May 12.
Jurisdiction of Justices of the Peace	Hon. Mr. Franklin December 16	December 16	January 20	January 20, 30; February 15, 20	February 22		Postponed, January 23; Council amendments received, May 30; conference with Council, June 16.
1865							
Imprisonment for Debt Amendment	Hon. Mr. Dennes January 6	April 12	April 12	April 12; May 8, 10	May 17		Lapsed in Council.
Weights and Measures	Hon. Mr. De Cosmos January 11	January 23	February 27	January 20; February 27; April 2	April 24		
Descent of Property	Do.	April 11	April 24	April 2	May 10		
Road Act Amendment	Hon. Mr. Young January 17	June 1	June 12	May 8; January 20; June 12, 14	May 1	June 9	Postponed six months in Council, June 7.
Declaration of Title	Legislative Council January 18	March 27	April 24	April 24	May 1		See Road Act amendment, July 27, 1866 third session.
First Telegraph Act Amend- ment	Legislative Council February 3	February 3	February 20	February 20; May 30	May 31	June 16	

SCHEDULE OF BILLS

[illegible]

PROGRESS OF BILLS BROUGHT INTO THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND,
THIRD SESSION, 1865-66

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING	ASSENT	REMARKS
1865							
Homestead Act	Hon. Mr. De Cosmos November 28	November 28	December 1	December 6, 8	December 8, 11, August 13	August 21	Recommitted, December 8.; Council amend- ments accepted, August 13, 1866; passed Council August 16. Postponed six months in Council, February 23.
Legal Profession	Hon. Mr. Duncan November 29	December 8	December 11	December 11	January 5		
Inferior Court Jurisdiction	Hon. Mr. Dennes November 30	December 6	December 8	December 8	December 11		
Debtors Relief Act	Hon. Mr. Dennes December 1	December 4	December 11	December 11, 15	December 18		
Franchise Act Amendment	Hon. Mr. McClure December 1	Do.	December 13	December 13, 15, 18	January 15	August 21	Passed by Council, June 18. Recommitted, January 5.
Bills of Sale Act Amend- ment	Hon. Mr. De Cosmos December 4	December 6	December 8	January 3, 11, December 8	December 11		Committee reported bill favourably to House, December 6; rejected by Council, February 2.
Partnership Act	Do.	Do.	December 13	December 13 January 8	January 11	July 12	Committee reported bill favourably to House, December 6; passed Council, June 7.
Banking Amendment	Hon. Mr. Duncan December 6						
Securing of Liens to Mechanics	Hon. Mr. Duncan December 8	December 11	Do.	December 13	February 7		Second reading postponed six months in Council, June 21. Do.
Descent of Property	Hon. Mr. De Cosmos December 8	Do.	Do.	December 13	January 11		
Representation Extension	Hon. Mr. De Cosmos December 8	January 3	January 5	January 8	January 17		
Victoria Incorporation Act Amendment	Hon. Mr. McClure December 13	March 1	March 14	January 5, 11, 16 March 14, 19, 21, recommitted March 21, 28.	April 5		Rejected by Council on first reading, Jan- uary 18.
Protection of Inventions	Do.	March 12	March 27	March 27	April 6		
Ferries	Hon. Mr. De Cosmos December 18	January 15	January 31	April 5	February 7		Amended and passed by Council, August 28. Postponed six months in Council, June 21.
1866							
Protection of Creditors	Hon. Mr. Dennes January 3	January 8	January 12	January 16	January 19	February 15	Referred to Select Committee, January 17; committee reported favourably, January 19; passed Council, February 5.
Hastwood Railway Com- pany Extension Act	Hon. Mr. De Cosmos January 5	January 26	January 31	January 31	March 7		
Conveyances	Hon. Mr. Dennes January 19	March 1	March 14	March 14, 21, 27, 28	March 28		Postponed six months in Council, May 28.
Incorporation of Nanaimo	Hon. Mr. Cunningham January 26	January 26	January 26				
Supply (\$202,063.82)	Committee of Supply January 26	January 26	January 26				

1866									
District Court Act	Legislative Council February 7	February 7	February 14	March 7	March 12 May 18	June 8	Council amendments accepted by House after conference on May 11; passed Council, May 26. Referred to Select Committee, February 14; rejected as being out of order (money bill) May 23.		
Establishment of Postal System	Legislative Council February 8	February 8	February 14	May 23					
Relief of Prisoners in Contempt	Hon. Mr. Dennes February 9	February 12							
Protection of Parties Dealing with Persons Liable to Bankruptcy Laws	Do.						Lapsed in Council.		
Recovery of Possession of Tenements	Do.								
Establishment of Investment Societies	Hon. Mr. Powell February 12	February 19	March 14	May 2, 7	May 9				
Registration of Voters Act Amendment	Hon. Mr. Dennes February 14						Lapsed in Council.		
Native Evidence	Legislative Council February 19	March 12	March 12	March 12 April 5, 6 March 12 April 6, 9 May 23, June 6 March 12	June 11				
Indian Liquor Act Amendment Act	Legislative Council February 20	February 20	Do.	March 16	March 16				
Real Estate Tax Repeal	Select Committee March 12	March 12	Do.	March 14	Do.		Postponed six months in Council, May 7.		
Trade Licence Amendment Act	Do.	Do.	Do.	March 1, 12, 14	March 16 May 23 March 16	June 8	Do.		
Liquor Licence Amendment	Select Committee March 12	March 12	March 12	March 12, 14	March 16		Council amendments accepted, May 23; passed Council, May 28.		
Harbour Dues Amendment	Do.	Do.	Do.	March 12, 14	March 16		Postponed six months in Council, May 7.		
Stock and Carcass Amendment Act	Do.	Do.	Do.	March 12, 14	Do.		Do.		
Salaries Tax Repeal	Do.	Do.	Do.	March 12, 14	Do.		Do.		
Road and Public Works Loan (£50,000)	Do.	Do.	Do.	March 12, 14	Do.		Council amendments received, July 27.		
Temporary Loan Act (\$100,000)	Do.	Do.	Do.	March 12, 16	March 19		Postponed six months in Council, May 7.		
Spring Ridge Water Company Act	Select Committee March 12	March 12	May 2	May 7, 11, 14, 18, 23, 30	June 5		Do.		
District Municipal Act	Hon. Mr. McClure March 29	March 29	April 9	April 9, May 21	June 5		Was referred to Select Committee, March 12; committee reported favourable to House, April 9; lapsed in Council.		
Fees for Justices and Constables	Hon. Mr. Dickson April 5	April 16	May 2	May 30			Rejected (because a money bill), May 7.		
Establishment of Volunteer Force	Legislative Council April 16	April 16							
Amendment of Real Estate Tax Amendment Act	Hon. Mr. Cochrane April 16	April 16	April 16	April 16	April 16				
Sanitary Commission Act	Committee of the Whole May 9	May 9	May 9	May 9	May 9		Second reading postponed six months in Council, May 28.		

PROGRESS OF BILLS BROUGHT INTO THE THIRD HOUSE OF ASSEMBLY OF VANCOUVER ISLAND,
THIRD SESSION, 1865-66—*Continued*

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING	ASSENT	REMARKS
1866 Supply (\$202,063.82)	Committee of Supply June 6	June 11	June 12	June 11, 27, 29 July 6, 9, 11, 16			Select committee appointed to examine, August 7.
Bank loan (\$10,000)	Committee of the Whole June 6						
Registration of Births, Deaths and Marriages	Hon. Mr. Powell June 19	August 13	August 22				
Temporary Loan (\$90,000)	Committee of the Whole June 19	June 19	June 20	June 27, July 25	July 6, 11	July 12	Referred to Committee of the Whole, June 21; reported favourably, August 13.
Coroner's Jury Act	Legislative Council June 27	June 27	August 13	August 13	August 15	August 21	Council amendments accepted, July 11.
Harbour Dues Act Amend- ment	Hon. Mr. Ash July 11	July 12	July 25	August 3	August 6	September 17	Council accepted House amendments, August 17.
Organization of Militia	Committee of the Whole June 12	July 31					Amended by Council, August 30; passed Council, August 31.
Supply (\$248,963.32)	Committee of Supply July 20			July 23 August 7, 13	August 15		House refused to concur with Council amendments, August 29.
Amendment of Road Act	Hon. Mr. Trimble July 27	August 8	August 13	August 1, 7, 8, 13	August 15	September 17	Passed by Council, August 28.
Supplemental Supply (\$26,581)	Committee of the Whole August 29						House passed resolution rejecting supply as requested; resolution read second time, August 31.
Bills of Sale Amendment Act	Legislative Council August 30	August 30	August 31	August 31	August 31	September 17	
Trespass Law Amendment Act	Do.	Do.	Do.	Do.			

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